protection of forests from fires; to the Committee on Agriculture.

By Mr. LINDSAY: Petition of the Rochester Stamping Co., Rochester, N. Y., favoring passage of House bill 27567, for 1-cent letter-postage rate; to the Committee on the Post Office and Post Roads.

Also, petition of Boring & Tilton and Ludlow & Peabody, New York, favoring the adoption of the Mall site and design as approved by the National Commission of Fine Arts for a memorial to Abraham Lincoln; to the Committee on the Library.

Also, petition of George N. Wingate, New York, favoring the passage of House bill 1309, providing for a council of national defense; to the Committee on Naval Affairs.

Also, petition of Charles R. Post, Brooklyn, N. Y., favoring passage of House bill 1339, granting an increase of pension to veterans of the Civil War who lost an arm or leg; to the Committee on Invalid Pensions.

Also, petition of the Richmond Chamber of Commerce, Richmond, Va., favoring the passage of legislation for a reform in the banking system of the United States; to the Committee on Banking and Currency.

By Mr. NEELEY: Petition of citizens of the seventh Kansas district, favoring the passage of House bill 25040, for amending the hours-of-service law so that the persons handling orders relative to the movement of trains will not have to work over eight hours; to the Committee on Interstate and Foreign Commerce.

By Mr. PUJO: Papers to accompany bill to erect an extension to the post office and Federal court building at Alexandria, La.; to the Committee on Public Buildings and Grounds.

By Mr. UNDERHILL: Petition of the Association of Eastern Foresters, protesting against the passage of legislation transferring the control and ownership of the national forests to the States wherein they lie; to the Committee on Agriculture.

Also, petition of the conservation committee of the State of New York, favoring an additional appropriation for Federal aid for protection of forests from fires; to the Committee on Agriculture.

Also, petition of the New York State Fruit Growers' Association, favoring the passage of Senate bill 7208, making trans-Atlantic steamships liable for damages to packages, etc., caused through negligence; to the Committee on Interstate and Foreign Commerce.

By Mr. WILSON of New York: Petition of the Richmond Chamber of Commerce, Richmond, Va., favoring the passage of legislation for a reform in the banking system of the United States; to the Committee on Banking and Currency.

Also, petition of the New York State Fruit Growers' Association, favoring the passage of Senate bill 7208, making trans-Atlantic steamships liable for damages of packages, etc., caused through negligence; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, *January 30, 1913.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CHESAPEAKE & POTOMAC TELEPHONE CO. (H. DOC. NO. 1315.)

The PRESIDENT pro tempore [Mr. GALLINGER] laid before the Senate the annual report of the Chesapeake & Potomac Telephone Co. for the year 1912, which was referred to the Committee on the District of Columbia and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the joint resolution (S. J. Res. 158) approving the plan, design, and location for a Lincoln memorial.

The message also announced that the House had agreed to the resolution requesting the President to return the bill (S. 7162) to amend section 801 of the Code of Law for the District of Columbia.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 3175) to regulate the immigration of aliens to and the residence of aliens in the United States.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24121) to pay certain employees of the Government for injuries received while in the discharge of their duties, and other claims.

The message further announced that the House insists upon its amendments to the bill (S. 7160) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RUSSELL, Mr. ADAIR, and Mr. FULLER managers at the conference on the part of the House.

The message also announced that the House insists upon its amendments to the bill (S. 8034) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RUSSELL, Mr. ADAIR, and Mr. FULLER managers at the conference on the part of the House.

PETITIONS AND MEMORIALS.

Mr. RICHARDSON presented petitions of the congregations of the Methodist Episcopal Churches of Selbyville and Magnolia, in the State of Delaware, praying for the passage of the so-called Kenyon-Sheppard interstate liquor bill, which were ordered to lie on the table.

Mr. CRAWFORD presented memorials of the congregations of the Seventh-day Adventist Churches of Elk Point, Viborg, Colman, and Beresford, all in the State of South Dakota, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. MYERS presented memorials of the congregations of the Seventh-day Adventist Churches of Butte and Bozeman, in the State of Montana, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

He also presented a memorial of sundry citizens of Dillon, Mont., remonstrating against the enactment of legislation providing for the parole of Federal life prisoners, which was ordered to lie on the table.

Mr. HITCHCOCK presented memorials of the congregations of the Seventh-day Adventist Churches of Ringgold, Ragan, and Collegeview, all in the State of Nebraska, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. BRISTOW presented a petition of the Woman's Christian Temperance Union of Mound Valley, Kans., and a petition of sundry citizens of Mound Valley, Kans., praying for the passage of the so-called Kenyon-Sheppard interstate liquor bill, which were ordered to lie on the table.

Mr. PERKINS presented a resolution adopted by the Aero Club, of Washington, D. C., favoring an appropriation for the establishment of a national aeronautical laboratory in Washington, D. C., which was ordered to lie on the table.

Mr. NELSON presented a memorial of the congregation of the Seventh-day Adventist Church of St. Paul, Minn., and a memorial of the Seventh-day Adventist Church of Duluth, Minn., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. DU PONT presented a memorial of sundry citizens of Smyrna, Del., remonstrating against the enactment of legislation providing for the parole of Federal life prisoners, which was ordered to lie on the table.

Mr. MARTINE of New Jersey (for Mr. BRIGGS) presented memorials of the Thomas A. Edison Co. (Inc.), of Orange, N. J.; of sundry citizens of Newark, Riverside, and New Brunswick, in the State of New Jersey; and of the American Association of Foreign Newspapers, of New York, N. Y., remonstrating against the enactment of legislation providing for the removal of restricted prices on patented goods, etc., which were referred to the Committee on Patents.

He also (for Mr. BRIGGS) presented petitions of sundry citizens of Pennington, Canford, Ridgewood, Montclair, Ocean City, East Orange, West Hoboken, Garwood, Orange, Hackensack, Vincentown, Daretown, Moorestown, Clinton, Pleasantville, Madison, Summit, Princeton, Paterson, Newark, Asbury Park, Atlantic City, Springfield, Port Morris, Green Creek, Haddonfield, Long Branch, Somerville, and Oakhurst, all in the

State of New Jersey, praying for the passage of the so-called Kenyon-Sheppard interstate liquor bill, which were ordered to lie on the table.

He also (for Mr. BRIGGS) presented memorials of the German-American Alliance, of Middlesex County and Elizabeth, and of sundry citizens of Newark, Jersey City, Union Hill, Atlantic City, New Brunswick, and Camden, all in the State of New Jersey, and of sundry citizens of New York, N. Y., remonstrating against the passage of the so-called Kenyon-Sheppard interstate liquor bill, which were ordered to lie on the table.

He also (for Mr. BRIGGS) presented petitions of sundry citizens of Englewood and Montclair, in the State of New Jersey, praying for the enactment of legislation providing for the protection of migratory birds, which were ordered to lie on the table.

He also (for Mr. BRIGGS) presented a petition of sundry citizens of Jersey City, N. J., praying for the enactment of legislation providing for the establishment of a board of river regulation, etc., which was referred to the Committee on Commerce.

He also (for Mr. BRIGGS) presented petitions of sundry citizens of Secaucus and Kenvil, in the State of New Jersey, praying for the enactment of legislation granting the Government power to establish game reservations upon national lands, which were referred to the Committee on Forest Reservations and the Protection of Game.

He also (for Mr. BRIGGS) presented a petition of Phoenix Lodge, No. 315, International Association of Machinists, of Elizabeth, N. J., praying for the passage of the so-called eight-hour bill, which was ordered to lie on the table.

He also (for Mr. BRIGGS) presented memorials of the congregations of the Seventh-day Adventist Churches of Perth Amboy and Fairton, and of sundry citizens of Vineland, all in the State of New Jersey, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

He also (for Mr. BRIGGS) presented petitions of sundry citizens of East Orange and Newark, in the State of New Jersey, praying for the construction of a public highway from Washington, D. C., to Gettysburg, Pa., as a memorial to Abraham Lincoln, which were ordered to lie on the table.

He also (for Mr. BRIGGS) presented petitions of members of the Friday Club of Bridgeton and of the Woman's Club of Arlington, in the State of New Jersey, praying for the establishment of a national department of public health, which were ordered to lie on the table.

He also (for Mr. BRIGGS) presented memorials of sundry officers of the Home Building and Loan Association, of Asbury Park, N. J., remonstrating against the enactment of legislation levying a special excise tax on building and loan associations, which were ordered to lie on the table.

He also (for Mr. BRIGGS) presented petitions of the Board of Trade of Elizabeth and of sundry citizens of Grenloch, in the State of New Jersey, praying for the enactment of legislation granting a charter to the Chamber of Commerce of the United States, which were referred to the Committee on the Judiciary.

He also (for Mr. BRIGGS) presented petitions of the New Jersey State Teachers' Association; the Board of Trade of Elizabeth; the School of Industrial Art of Trenton; the mayor of Trenton; W. H. S. Demarest, president of Rutgers College; Prof. J. G. Lipman, of Rutgers College; the New Jersey State Grange; the Board of Education of Elizabeth; the superintendent of the Vineland Training School; of Hon. Ernest R. Ackerman, of Plainfield; of the president and superintendent of the Board of Education of South Orange; of Edward S. Pierson, of Jersey City; of the superintendents of public schools of Union County, Bloomfield, Elizabeth, Vineland, Asbury Park, Glen Ridge, and New Brunswick; of the New Jersey Bankers' Association; and of sundry citizens, all in the State of New Jersey, praying for the passage of the so-called Page vocational education bill, which were ordered to lie on the table.

He also (for Mr. BRIGGS) presented petitions of sundry citizens of Orange and Jersey City, in the State of New Jersey, praying for the enactment of legislation granting pensions to veterans of the Indian wars, which were referred to the Committee on Pensions.

He also (for Mr. BRIGGS) presented petitions of sundry citizens of Newark, Harrison, East Orange, Passaic, Elizabeth, and Jersey City, all in the State of New Jersey, praying for the enactment of legislation granting pensions to widows and orphans of Spanish War veterans, which were referred to the Committee on Pensions.

He also (for Mr. BRIGGS) presented petitions of sundry citizens of Newark, N. J., praying for the enactment of legislation to prohibit the use of trading coupons, which were referred to the Committee on Finance.

He also (for Mr. BRIGGS) presented a petition of Local Branch No. 380, National Association of Letter Carriers, of Trenton, N. J., praying for the enactment of legislation providing for the retirement of certain employees in the civil service, which was referred to the Committee on Civil Service and Retrenchment.

He also (for Mr. BRIGGS) presented a memorial of Local Grange No. 36, Patrons of Husbandry, of Medford, N. J., remonstrating against the repeal of the oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

He also (for Mr. BRIGGS) presented a memorial of the Woodbury Mill & Lumber Co., of Woodbury, N. J., remonstrating against the passage of the so-called anti-injunction bill, which was referred to the Committee on the Judiciary.

He also (for Mr. BRIGGS) presented petitions of Union No. 62, International Brotherhood of Bookbinders; of Union No. 14, United Hatters of North America, of Newark; of Phoenix Lodge, No. 313, International Association of Machinists, of Elizabeth; of Union No. 63, Glass Bottle Blowers' Association, of Williamstown; of Union No. 307, Painters, Decorators, and Paper Hangers, of Morristown; of Union No. 3, Cigar Makers' International Union, of Paterson; and of Union No. 139, Carpenters' Union, of Jersey City, all in the State of New Jersey, praying for the passage of the so-called anti-injunction bill, which were referred to the Committee on the Judiciary.

He also (for Mr. BRIGGS) presented memorials of sundry citizens of Salem, Oreg.; Philadelphia, Pa.; Buffalo, N. Y.; Boston, Mass.; Madison, Wis.; and New York, N. Y., remonstrating against the enactment of legislation increasing the rate of postage on printed matter, which were referred to the Committee on Post Offices and Post Roads.

He also (for Mr. BRIGGS) presented petitions of the Whitlock Cordage Co., of New York, N. Y.; of the New Jersey Fire Insurance Co., of Newark; and of sundry citizens of Newark and Paterson, in the State of New Jersey; of Wheeling, W. Va., and of Philadelphia, Pa., praying for the adoption of a 1-cent postage on first-class mail matter, which were referred to the Committee on Post Offices and Post Roads.

He also (for Mr. BRIGGS) presented memorials of the American Truth Society of Paterson, and of sundry citizens of Passaic, all in the State of New Jersey, remonstrating against an appropriation being made to celebrate the one hundredth anniversary of peace with England, which were ordered to lie on the table.

Mr. GALLINGER presented the petition of Robert Fletcher, of Dartmouth College, Hanover, N. H., and a petition of the congregation of the First Methodist Episcopal Church of Claremont, N. H., praying for the passage of the so-called Kenyon-Sheppard interstate liquor bill, which were ordered to lie on the table.

He also presented a resolution adopted by the New England Club of Library Commission Workers, of Boston, Mass., favoring the adoption of certain amendments to the parcel-post law, which was referred to the Committee on Post Offices and Post Roads.

REPORTS OF COMMITTEES.

Mr. CLARK of Wyoming, from the Committee on Public Lands, to which was referred the bill (H. R. 23351) to amend an act entitled "An act to provide for an enlarged homestead," reported it without amendment and submitted a report (No. 1169) thereon.

Mr. WORKS, from the Committee on Public Lands, to which was referred the bill (S. 7875) to exempt from cancellation certain desert-land entries in the Chuckawalla Valley and Palo Verde Mesa, Riverside County, Cal., reported it with amendments and submitted a report (No. 1170) thereon.

Mr. CLARKE of Arkansas, from the Committee on Military Affairs, to which was referred the bill (H. R. 24365) providing for the taking over by the United States Government of the Confederate cemetery at Little Rock, Ark., reported it without amendment and submitted a report (No. 1171) thereon.

He also, from the same committee, to which was referred the bill (S. 6766) providing for the taking over by the United States Government of the Confederate cemetery at Little Rock, Ark., reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to which was referred the bill (S. 4549) to place the name of Sergt. Herman C. Funk upon the officers' retired list, reported it with an amendment and submitted a report (No. 1172) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CULBERSON:

A bill (S. 8315) granting permission to Ella S. Gilliland, and Clara E. Gilliland, joined by her husband, W. H. Gilliland, to institute suit against the United States of America in the district court of the United States for the eastern district of Texas for the partition and adjustment of the rights and titles claimed by them in certain lands situated in said eastern district of Texas; to the Committee on the Judiciary.

By Mr. SMITH of Maryland:

A bill (S. 8316) granting an increase of pension to Elizabeth McLaughlin; to the Committee on Pensions.

By Mr. KERN:

A bill (S. 8317) for the relief of John M. Butler (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 8318) granting an increase of pension to Thomas White (with accompanying papers); and

A bill (S. 8319) granting an increase of pension to Joel A. Griffin (with accompanying papers); to the Committee on Pensions.

By Mr. SANDERS:

A bill (S. 8320) granting an increase of pension to Matilda I. Nason; to the Committee on Pensions.

By Mr. GRONNA:

A bill (S. 8321) to amend section 1 of an act entitled "An act to regulate commerce," approved February 4, 1887, as heretofore amended; to the Committee on Interstate Commerce.

By Mr. SMOOT:

A bill (S. 8322) granting a pension to Charles O. Farnsworth (with accompanying papers); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 8323) for the relief of F. W. Tyler; to the Committee on Claims.

By Mr. JONES:

A bill (S. 8324) to appoint James W. Keen as master's mate in the Revenue-Cutter Service, and to place him as such upon the retired list; to the Committee on Commerce.

A bill (S. 8325) granting an increase of pension to Carrie A. Miller; and

A bill (S. 8326) granting a pension to Jesse F. Cochran, alias Franklin Cochran; to the Committee on Pensions.

By Mr. SMITH of Arizona:

A bill (S. 8327) for the relief of G. O. Nolan; to the Committee on Claims.

By Mr. MARTINE of New Jersey (for Mr. BRIGGS):

A bill (S. 8328) to place Peter Vredenburgh, late first lieutenant of Infantry, United States Army, on the retired list of the Army; and

A bill (S. 8329) for the relief of Second Lieut. John F. Brown, Philippine Scouts, United States Army; to the Committee on Military Affairs.

By Mr. BRADLEY:

A bill (S. 8330) granting an increase of pension to Leander Ledford (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 8331) granting a pension to Josephina Soleau (with accompanying papers); to the Committee on Pensions.

By Mr. POMERENE:

A bill (S. 8332) to increase the limit of cost of the public building at Piqua, Ohio; to the Committee on Public Buildings and Grounds.

AMENDMENTS TO RIVER AND HARBOR BILL.

Mr. WORKS submitted an amendment proposing to appropriate $1,250,000 for necessary improvements on the Colorado River to protect the lands and property of Imperial Valley, Cal., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment proposing to appropriate $22,067 for the maintenance of the improvement of San Diego Harbor, Cal., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. PERKINS submitted an amendment providing for a survey of Berkeley Harbor with a view to the development and completion of the Berkeley inner harbor, California, intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. LODGE (for Mr. CRANE) submitted an amendment providing for a survey of Marion Harbor, Mass., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

REGULATION OF PILOTAGE.

Mr. JONES submitted an amendment intended to be proposed by him to the bill (S. 7629) to provide for the further Federal regulation of pilotage, which was referred to the Committee on Commerce and ordered to be printed.

EIGHT-HOUR LAW.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (H. R. 18787) relating to the limitation of the hours of daily services of laborers and mechanics employed upon a public work of the United States and of the District of Columbia, and of all persons employed in constructing, maintaining, or improving a river or harbor of the United States and of the District of Columbia.

Mr. BORAH. I move that the Senate insist upon its amendments and agree to the conference asked for by the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. BORAH, Mr. PENROSE, and Mr. SHIVELY conferees on the part of the Senate.

ADDRESS OF SENATOR HEISKELL.

Mr. HEISKELL. Mr. President, if you should be surprised that I who have so lately become a Member of this body should now arise to say farewell, please remember that there are circumstances over which I have no control. Certain Senators were kind enough to invite, advise, and induce me to make my leave-taking the occasion for some remarks to the Senate. I am glad to see that we have a quorum of the Senate present, but I must observe that of those Senators who invited, advised, and induced me to speak there is not a quorum present. I have the news from Arkansas, where the legislature is in session. My successor, whom I can warrant to you as a good and worthy man, has been elected, and even now he is bearing down upon me, armed with a commission which is to serve as a writ of dispossession against the present occupant of this seat. Within a few weeks, after March 4, he in his turn will be succeeded by another Senator. But you know the saying is the third time the charm, and this third Senator will stay with you for the full term of six years. There is senatorial glory enough to go around—if you keep it moving fast enough. I have foreseen what has now happened and thus you will be able to understand why I have, since coming here, been making an exhaustive and painstaking investigation to find what are the rights, privileges, prerogatives, and immunities that may be enjoyed by a man who is a former Member of the United States Senate.

After a service in this body of 22 days I am going home and spend the remaining years of my life in writing my "reminiscences of the Senate." When I came here I was not even acquainted with the geography of the Capitol and its grounds, and I had some difficulty in finding my way into the Senate, but the Arkansas Legislature has now shown me the way out. I had equal difficulty with respect to the Senate Office Building, but I finally located my quarters in a committee room over whose door is a legend that I at first hastily read as "Mississippi River and its tribulations," for I knew that the tribulations of the Mississippi River are both grievous and multitudinous.

I must make acknowledgment that my stay here has been made pleasant, and things generally have been made easy for me by that historic courtesy that guides and sweetens the proceedings of this body. I have found pleasure in doing my part as best I could in this courtesy while a Member here, but as I am editor of a newspaper I am somewhat perturbed at the thought that an obligation to observe the highest courtesy toward the Senate may rest upon me for the rest of my life. And if when other editors are thundering against the Senate I must sit silent in my sanctum, I shall indeed suffer partial paralysis of my editorial functions.

I came by the Senatorship by the easy way of appointment by the governor. I did not have to go through the storm and stress or, I might even say, the rough and tumble of a State-wide, popular primary, which, under normal conditions, is the arbiter of political fate in Arkansas. And I can assure Senators who have never had that experience that when a man gets a Senatorship as a result of a popular primary he is fairly entitled to enjoy to the fullest all its honors and emoluments. We have indeed in the popular primary States a government of the people, and I affirm my faith in that government, even though there are some persons in these States who are apprehensive

at what may befall us from the votes of those electors, who are dubbed with the uncouth terms of "red neck" and "hillbilly." And what is a hillbilly? He is one of thousands and thousands of white men, poor in the goods of this world, the very foundation course of the structure of human society, who work at the trades of the countryside or cultivate small farms in the sweat of their own brows, whose greatest interests in this world are home, family, school, church, and their country. If these men are sometimes misled, the fault is not so much with them as with him who perverts his talents and abuses his powers to play upon their honest hearts and open minds. It is natural that they should be moved and influenced by one who goes among them dressed, maybe, somewhat in their own garb, even though he may have assumed that dress for the purpose of that express excursion, who can talk to them in their own words and phrases, who can comfort them in their troubles and rejoice with them in their simple joys, who can, actually or in effect, put his arm around them and make them feel that he is their friend and their defense, for the inequalities of social and economic conditions always yearn for a voice to cry their protest. As it was in Greece and Rome, so it is with us to-day. He who has consummate skill to put himself in the place of a champion of the people is not merely a well-known and popular man; he becomes a sentiment, a belief, a creed, and a conviction. But if anyone fears that these masses of men may lay violent hands upon the historic fabric of our institutions, let him remember that the day may come when their true American bone and fiber will make them a fortress and a stronghold for all those things this Nation holds most dear.

Mr. President, one of the great figures in the history of the Senate said, in speaking of his State:

I shall enter on no encomium upon Massachusetts. She needs none. There she is. Behold her and judge for yourselves.

And I may say that my State of Arkansas needs no encomium. She needs only to be seen and to be known. For it has been the singular misfortune of Arkansas to be misused, misadvertised, misunderstood, and misinterpreted. Because we have areas of lowlands along with our highlands, our hills, and our mountains, some persons who are unacquainted with the State are accustomed to speak of it as a place of swamps.

For the most part these lowlands are not swamps at all. They are covered with towns and plantations, or are lands that can be reclaimed for farms and homes with the simplest works of drainage, and are being so reclaimed by local enterprise. But "swamp" is a ready and an easy word, which gratifies the human appetite for a touch of derogation, and is often chosen by the tongue in preference to more accurate, if less satisfying, terms of description. In my own State we have a name for a particular type of political partisan who inhabits the lowlands and is noted for the great interest he takes in public affairs. He is called a "Swamp Democrat." These lowlands lie generally in eastern Arkansas, a region that was in part inundated by the last great flood in the Mississippi. A flood is a bad visitation. But eastern Arkansas is the daughter of the Father of Waters. For century after century he has drawn on the East, the North, and the West for the treasures of their soil and laid them at her feet. And when mankind came to claim this daughter of the river he found her dowered with wealth far greater than the marriage portions of all the princesses of the earth. Now that eastern Arkansas has been wooed and won by mankind, she has built bulwarks against the Mississippi, but sometimes he breaks in and leaves muddy tracks all over the place. Thus we are in need of works of reclamation, for flood protection and drainage, and for channel improvement also. It is a saying in our State that Arkansas has more miles of navigable rivers than any other State in the Union, and, I regret to add, perhaps as few miles of navigated rivers.

The Nation might well turn its eyes to this undeveloped empire. You have heard the fearsome formula of the political economist about the pressure of population on the means of subsistence. But in Arkansas so many crops may be raised in the same year on the same ground, and so bountiful is the earth that the trouble is rather the pressure of the means of subsistence upon the population.

Rich in all the things that make a State both strong and great and bring it the most substantial and enduring prosperity, Arkansas may well rest content in the sure and certain knowledge that she must come into her own at last. She has suffered undeservedly from the libels of penny-a-liners, who would be shamed if they could know the excellence of the Commonwealth and its people, and from some who have managed to possess themselves of her voice and utterance and appropriated them to the forwarding of their own personal or political fortunes. Arkansas needs nothing more than to be known for what she truly is. And Arkansas asks nothing more than that her own and veritable voice, the voice of an enlightened, progressive, God-fearing, and God-serving people, may be heard before the Nation and the world.

IMMIGRATION OF ALIENS.

Mr. LODGE. I desire to give notice that immediately after the morning business to-morrow, assuming that the unanimous-consent agreement in reference to the joint resolution as to presidential term will then have been exhausted, I shall call up the conference report on the immigration bill, which has passed the other House this morning without a roll call.

THE PRESIDENTIAL TERM.

The PRESIDENT pro tempore. The Secretary will read the unanimous-consent agreement in reference to the special order for to-day.

The Secretary read as follows:

It is agreed by unanimous consent that on Thursday, January 30, 1913, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the resolution (S. J. Res. 78) proposing an amendment to the Constitution of the United States, and before adjournment on that legislative day will vote upon any amendment that may be pending, any amendments that may be offered, and upon the bill—through the regular parliamentary stages—to its final disposition.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 78) proposing an amendment to the Constitution of the United States.

The PRESIDENT pro tempore. The question is on the amendment offered by the senior Senator from Georgia [Mr. BACON] to the amendment of the committee.

Mr. LODGE. Mr. President, I should like to suggest that if this amendment is to go into the Constitution of the United States we should not insert in that great instrument a split infinitive; and so, on page 2, in line 9, I suggest that the language should read: "Eligible again to hold the office by election."

Mr. CUMMINS. Mr. President, that change has already been made; it was an error in the report.

Mr. LODGE. I am glad to hear that that has already been done.

Mr. CUMMINS. It was done some two or three months ago.

Mr. LODGE. But it has not been done on the copies that are furnished to us; it has been done without the knowledge of the Senate.

Mr. CUMMINS. The joint resolution has been printed as it has in fact been reported.

Mr. LODGE. I had nothing before me except the print which we find on our desks. I did not know the change to which the Senator from Iowa refers had been made.

The PRESIDENT pro tempore. The amendment heretofore proposed by the Senator from Georgia [Mr. BACON] to the amendment of the committee will be stated.

The SECRETARY. On page 2, line 6, of the proposed amendment of the committee, before the word "years," it is proposed to strike out the word "six" and insert "four," so that, if amended, the amendment will read:

The term of the office of President shall be four years.

Mr. LODGE. Mr. President, do I understand that what has just been stated is the pending question.

The PRESIDENT pro tempore. That is the pending question.

Mr. LODGE. What is this that is presented to us? Is it the report of the committee amendment that has just been read?

The PRESIDENT pro tempore. It is an amendment proposed by the senior Senator from Georgia [Mr. BACON] to the amendment of the committee to the joint resolution.

Mr. LODGE. I understand. I should like to ask the Secretary to read the amendment of the committee.

The PRESIDENT pro tempore. The Secretary will read as requested.

The SECRETARY. The Committee on the Judiciary reported the joint resolution with an amendment to strike out, beginning on page 1, line 10, as follows:

The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of six years and shall be ineligible to a second term, and, together with the Vice President, who shall hold for a like term, and shall also be ineligible to a second term, be elected as follows:

And in lieu thereof to insert:

The executive power shall be vested in a President of the United States of America. The term of the office of President shall be six years; and no person who has held the office by election, or discharged its powers or duties, or acted as President under the Constitution and laws made in pursuance thereof shall be eligible to again hold the office by election.

The President, together with a Vice President chosen for the same term, shall be elected as follows.

Mr. LODGE. I am glad to find that the error to which I referred has been corrected in the official copy of the joint resolution. I was misled by the only copy which was in my possession.

Mr. President, I do not propose to consume the time of the Senate in discussing this proposed amendment to the Constitution, upon which I suppose the minds of Senators are made up, nor do I think it is necessary to enter upon any protracted debate upon it. I desire merely to state my own reasons for opposing it.

I am not in favor of this change in the Constitution. The chief argument which is offered for the passage of this joint resolution, limiting the President to one term, is that if he has no hope of reelection he will then devote himself exclusively to policies for the benefit of the country and to the work of the country, and that he will not use the patronage of his great office to promote his own renomination and reelection.

I do not myself believe, Mr. President, that patronage is very helpful in electing or reelecting anyone to office. On the contrary, I believe that as a rule it is positively harmful. Instances of the defeat either for nomination or for election are very frequent in our history of a President having all the patronage in his possession. The use of patronage, of which complaint is made, is in reality chiefly with reference to its influence upon Congress. That the power of appointment has an influence upon Congress is, I think, undoubted, human nature being constructed as it is, but I can not see that limiting the President to one term will alter the effect of the patronage on Congress, if it has an effect. A President limited to one term, so far as he is personally concerned, is at least anxious that the policies to which he is committed and which he desires should be carried into execution.

The patronage, if used at all, would be just as much used for that purpose as to promote his own reelection, and even more constantly. You will not get rid of the effect of patronage or the force of the power of appointment until you are rid of human nature in the Congress of the United States. Therefore, Mr. President, it does not seem to me that in that direction the argument in regard to patronage has very great weight.

As to the point of patronage not being used to promote his own renomination or reelection, if a President is debarred from using the power of his great office to secure his own renomination or his own reelection, surely he will be desirous to have a successor who shall be in sympathy with his views, who will be willing to carry out the policies which he has been unable to complete; he will desire that his own party shall remain in power; for a President without a party and without party principles would not be a desirable President. Therefore, Mr. President, it does not seem to me that we really gain anything in that direction, and, although superficially the argument resting on the case of the presidential power appears to have much weight, it seems to me in its essence to have very little.

There is another reason which we hear spoken of, but which I need not dwell upon, namely, that a provision of this kind in the Constitution of the United States will be a defense against Cæsarism, against a permanent President or dictator. Mr. President, the protection of the country against Cæsarism or a dictatorship or a perpetual President rests in the character of the American people. No paper provision can protect us against that. If we should reach the point where the people were ready to have a perpetual President or dictator, no constitutional provision would stand in the way of a revolution of that character in our system of government, if the people had sunk to that point. When the people are ready to fall into the hands of an imperial despot or a perpetual dictator or President, paper barriers will not prevent the calamity.

But the all-sufficient reasons against the adoption of the proposed amendment to my mind are two. The first one applies to the proposition of the committee; it does not apply to the amendment proposed by the Senator from Georgia [Mr. BACON]. Under our system we have divided the three branches of government—the legislative, the judicial, and the executive—and have made them coordinate and independent. Our system is not like that of England, which has been adopted very largely throughout the Continent of Europe. That system is to have the executive and the legislative power in the same hands. The executive and legislative powers of England are in reality, whatever the forms may be, vested in a committee of the House of Commons. Under that system when at an election the party control changes, the executive and the legislative change together, and they both are in harmony; but under our system that frequently is not the case. At this moment we have a President belonging to one party and the House of Representatives controlled by another. I have in my own not very long experience seen that same situation occur more than once. It happened in the last two years of President Harrison's administration; it happened in the last two years of President Cleveland's administration, and it happened frequently before that. I do not think the situation which it produces is a desirable one. I believe that the conduct of the business of the Government should be in the hands of the party which has received authority from the people to conduct the Government.

I am not prepared to say that we should give up our system of the separation of the departments on that account; but no system is perfect. It is a necessary defect in the system which divides and makes independent the three branches of government. It does not seem to me desirable to enhance the evils of that situation by making it possible to have a President and a Congress or a President and one House of Congress of different political parties last for four years instead of for two. It is a false position and an unnatural situation, one which is not consonant with our system of government. It arrests the work of carrying out the will of the people as expressed at the polls. To a certain extent it is unavoidable. As I have said, under our system it must occur from time to time, but it is now limited by the limitation of the presidential term. Under the six-year term, I think that that defect of the system, if you choose to call it such—and it is a defect, as it seems to me—would be enhanced and not diminished.

Finally, Mr. President, I think it is very dangerous to declare constitutionally that a man who has once been President of the United States shall never be President again.

I have opposed elsewhere—not here, because the question has not been raised here—but I have opposed in public discussion to the best of my ability the compulsory initiative and referendum, because I believe it means the destruction of representative government and because I believe its tendency would be to establish a method of legislation which is in its nature impossible. I know from my own experience with reference to constitutional amendments in my own State on which we are called upon to vote by "yes" or "no," at an election, that I am not capable of legislating intelligently in that way, and I do not think that others are. I believe that this scheme would force the people to legislate by a method which no people on earth can carry out effectively and intelligently. I need not enter into the details, and I do not mean to argue that question here; but it is impossible, to my mind, to have intelligent legislation by answering at the ballot box with a categorical "yes" or "no" on a measure which may include many sections and where there is no opportunity for amendment or debate. I believe myself that the system of compulsory initiative and referendum tends and is intended to throw power into the hands of comparatively small and well-organized minorities and to take it away from the great body of the people, although I know that the cry for the initiative and referendum is made in the name of the people.

Now, Mr. President, we are asked to take from the people by this proposed constitutional amendment the decision of a question which they are preeminently capable of settling. There is no question whatever that the voters of this country are able to say whether they think a certain man who has served as President ought again to be President; and it seems to me we are simply taking from the people by this proposed constitutional amendment a right which ought not to be denied to them. I have sufficient confidence in the American people to believe that they can be trusted absolutely to say who shall be President of the United States and to determine whether a man who has once been President is fit to be President again.

It would have been a melancholy day for this country if we had been unable to elect to a second term George Washington or Abraham Lincoln. No man can tell when a situation will arise when it might be a vital necessity to retain for a second term a President then in office. We might be engaged in a war where it would be the veriest misfortune conceivable to say that the man at the head of the Government should be changed at the end of four years.

I think we can safely let this matter remain where it is. I have no fear that we shall have any perpetual President. I have too much confidence in the American people and in their good sense for that. I have no fear that they can not be fully trusted with the power to say whether a man shall serve a second time or a third time if he seeks it, and I think we are running a very great risk in taking up this limitation as to eligibility for a second term.

I have no desire to enter into further details, Mr. President. I simply wished to put upon the record the reasons which will govern me in voting against this resolution.

Mr. SUTHERLAND. Mr. President, I want to make just a single observation in reference to this matter.

The Senator from Massachusetts has said, and others have said here, that this is an attempt to take from the people their power to elect a President to successive terms. I do not understand that it is any such attempt at all. It is a proposition to submit to the people the question whether or not they will take from themselves that power. In the last analysis it will rest in the good judgment of a majority of the people of the United States—indeed, more than a simple majority, because it will require three-fourths of the States to ratify this proposed constitutional amendment.

Mr. LODGE. Mr. President, if the Senator will allow me, I am of course aware that this is a constitutional amendment which must be submitted to the people, and that it could not be adopted without the votes of three-fourths of the States. I know that. What I referred to was the attempt in this resolution itself. What it aims at is a limitation on the powers of the people. If the people choose to take from themselves their own existing right, that is their affair; but the matter has not reached that stage yet.

Mr. SUTHERLAND. My position is that this is a matter that the people of the United States have been discussing for a long time. We do know that there is a sentiment, a very large sentiment—precisely how large we do not know—in the United States in favor of this proposed amendment. Let the people of the United States say whether they want it or not. If they determine that they do, then a majority of the people will have spoken upon it.

Mr. PAYNTER. Mr. President is it in order to offer an amendment at this time?

The PRESIDENT pro tempore. No; there is one amendment pending. The Senator can have his proposed amendment read for the information of the Senate.

Mr. PAYNTER. Then I ask that it be read for information.

The PRESIDENT pro tempore. The Secretary will read as requested.

The SECRETARY. It is proposed to add at the end of the section the following:

Provided, That the term of the incumbent in the office of President when this amendment takes effect shall be for six years.

Mr. CUMMINS. Mr. President, I should like to suggest to the Senator from Kentucky that when his amendment is offered it ought to follow the word "election," in line 10, rather than to follow the resolution itself.

Mr. PAYNTER. That is what I was about to suggest.

Mr. CUMMINS. I desire to suggest, further, that there is pending an amendment, submitted by the Senator from Georgia, striking out "six years" and inserting "four years." If that amendment should be adopted, then the proposed amendment of the Senator from Kentucky would not be necessary, even from his point of view.

Mr. PAYNTER. Mr. President, I will not discuss the question of the necessity for the adoption of the pending amendment to the Constitution. My amendment was prepared simply for the purpose of suggesting an idea that was in my mind. I have drawn it hastily, and perhaps it is rather dangerous to amend the Constitution by words that are added in the midst of a debate.

The conditions are these: If this amendment as reported should be adopted, the question would arise at the close of the incoming administration—if the amendment should become effective before the close of it—as to whether the President then in office would hold office for the term of six years or for only four. That question would necessarily arise, and it would be necessary to give this amendment interpretation to determine the effect of it.

In a matter so important as fixing the term of the President no question should be left open for decision. The amendment should make it perfectly clear whether the term of the person then in the office of President should be six or four years. That, of course, is upon the idea that it is made a six-year term. Of course if it remains a four-year term, then the amendment which I have suggested would not be proper at all, because I have no purpose or desire to see the term of the incumbent when the amendment is adopted made longer than that of his predecessors or successors.

So, Mr. President, if this amendment does not meet with the approval of the Senate, some provision ought to be added to the pending resolution which will take care of the situation which I have suggested—that is, the possibility of controversy at the end of the term in the event the resolution is adopted in its present form.

Mr. DIXON. Mr. President, I should like to hear the amendment submitted by the Senator from Kentucky read again. I did not clearly get it.

The PRESIDENT pro tempore. The proposed amendment will be read.

The SECRETARY. In the amendment proposed by the committee, on page 2, line 10, after the word "election," it is proposed to insert:

Provided, That the term of the incumbent in the office of President when this amendment takes effect shall be for six years.

Mr. PAYNTER. Mr. President, will the Senator yield to me for a moment?

Mr. DIXON. I yield.

Mr. PAYNTER. There is one suggestion which I intended to make, but neglected to make. The incoming President was nominated and elected upon the idea that it was for a four-year term. If this amendment should be adopted, he would be disqualified—if that is the proper interpretation of the amendment—from holding office for more than four years. It seems to me it would not be fair to him to deprive him of a six-year term when this is adopted after he has been elected to the present ensuing term.

Mr. DIXON. I should like to ask the Senator from Kentucky whether or not that was the understanding of the present President elect, Woodrow Wilson, that he is to serve only one term of four years?

Mr. PAYNTER. I am discussing a constitutional question now, not what may have been the understanding.

Mr. DIXON. But I understood the Senator from Kentucky to say that that was the understanding of the present President elect.

Mr. PAYNTER. As I said, I am discussing the constitutional question.

Mr. CUMMINS. Mr. President, I rise to a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. CUMMINS. I understand perfectly well that if the resolution should be adopted as it comes from the committee, it would be wise to make it specific—that is, to place it beyond any controversy as to its application. But there is an amendment pending to the resolution, offered by the senior Senator from Georgia. The amendment proposed by the Senator from Kentucky is not an amendment to that amendment, but it is an amendment to the original resolution, and therefore can not properly be offered at the present time.

The PRESIDENT pro tempore. The Senator from Iowa correctly states the parliamentary situation. The amendment of the Senator from Kentucky is not in order now.

Mr. CUMMINS. Therefore, while of course I do not want to limit the remarks that may be made upon any subject that may be pertinent to the question, I suggest that the Senator from Kentucky withhold his amendment until it becomes in order.

The PRESIDENT pro tempore. The Chair suggested that it would be read merely for the information of the Senate.

Mr. PAYNTER. I understood the Chair so to rule.

Mr. CULBERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Texas?

Mr. DIXON. I do.

Mr. CULBERSON. May I have the attention of the Senator from Kentucky for a moment? While I think it is an inadvertence, the Senator from Kentucky, in his amendment, has omitted any reference to the Vice President.

Mr. PAYNTER. I have not studied that question, but I think my amendment includes the Vice President. As I suggested in my former remarks, it is rather an unsafe thing to accept an amendment offered under these circumstances. More time ought to be taken for its consideration. I think the question important enough for the Senate to take an abundance of time to consider it.

Mr. DIXON. Mr. President, I understand——

The PRESIDENT pro tempore. If the Senator from Montana will permit the Chair to make an observation, the Senator from Georgia [Mr. BACON] is not now in the Senate; and the Chair desires to read from the RECORD precisely what occurred on the 15th of August last in reference to the amendment.

Mr. CUMMINS said:

Mr. President, I have been informed that there are some others who desire to speak upon this joint resolution, but that they are not prepared to proceed this afternoon. I know also the very great anxiety of some Senators that we shall take up the calendar. In view of those circumstances, I ask unanimous consent that the unfinished business be temporarily laid aside.

Mr. BACON. Before that is done I wish to offer an amendment to the joint resolution in order that it may be stated, and then I shall make no objection to the request.

Subsequent to that, and after some debate had occurred, Mr. BACON said:

I simply desire to offer an amendment, and I will ask the Secretary to take it down. It is on the sixth line on the the second page, to strike out the word "six" and to insert the word "four." I do not ask to do anything more now than to have that entered.

Mr. DIXON. Mr. President, no formal amendment having been offered, but merely a suggestion having been made by the Senator from Georgia, to clarify the situation and leave no loophole for further constitutional construction and the possible embarrassment of the incoming President of the United States, I desire to offer a specific amendment. I should like to have the Secretary read it, if it is in order to have it offered at this time. If it is not in order, I will present it later in the day.

The PRESIDENT pro tempore. The Chair will rule that, upon the statement just read, the suggested amendment on the part of the Senator from Georgia is not now pending. The Senator from Montana offers the amendment which will be read by the Secretary.

The SECRETARY. On page 2, line 10, after the word "election," it is proposed to insert the following words:

Provided, That this provision shall not apply to the President elect, Woodrow Wilson.

Mr. DIXON. I hope the Senator who reported the resolution, or the one who introduced it, will accept this amendment, as it would clear up the embarrassment and any possible doubt that might arise as to the status of the President elect, as suggested by the Senator from Kentucky.

Personally I have not heard any great demand from the country for this constitutional amendment, which would forever prohibit the people of the United States, when they thought best so to do, from reelecting a faithful President for a second term. Candidly, I think the purpose of this resolution would have been better stated, and it would have come nearer telling the cold truth, if it had been entitled—

A proposed amendment to the Federal Constitution for the relief of certain aspirants for the office of President of the United States.

Outside of a very select circle of prospective presidential candidates, I think there has been no demand from the people themselves to have the Federal Constitution amended in this respect. As the Senator from Massachusetts said, if it had been in operation from the beginning of the Government it would have forbidden George Washington's second election; it would have forbidden this Nation to have had the services of Abraham Lincoln in the greatest crisis this Government has ever faced; it would have eliminated William McKinley from his second term; it would have eliminated Andrew Jackson from his second term. In all seriousness, boiled down to the real essence of the matter, I think it would be better entitled—

A bill for the relief of certain presidential candidates now occupying to a greater or less extent the political stage.

This resolution seeks to revive the old rule that used to prevail in many congressional districts—to "pass the honors around." Until the last few years in some congressional districts there was an unwritten law that no man could "represent the district for more than two terms," not because such a rule gave better service in the House of Representatives, but in order that certain aspiring politicians of the district might have an opportunity to go to Congress. It was not for the benefit of the people; it was not for the benefit of the Government; but it was purely and simply in the interest of certain ambitious gentlemen in that particular congressional district.

We know the result. It used to be a standing joke that the "two-term districts" in the House of Representatives were usually less ably represented than any other districts in the country.

Theoretically, the argument for this amendment is based on the fear of some great overshadowing personality perpetually assuming the presidential office. They talk about the power of Federal patronage in the hands of the President. They fear that a man holding the power of appointing thousands of Federal officers is invulnerable, so far as his reelection is concerned.

I now want to testify that while we have seen the power of Federal patronage prostituted by the Executive, the worst examples of the prostitution of Federal patronage have emanated from the Senate Chamber, instead of from the White House. The old senatorial oligarchy that held legislation and held control of the Senate in the hollow of its hands committed far greater crimes in the matter of the use of Federal patronage for personal, private ends that any President who ever occupied the White House. If the argument applies to a second term for the President, it applies with equal force to a second term for every Senator in this Chamber. If a man becomes dangerous by reason of his power of distributing Federal patronage—and that is all of the argument behind the proposed resolution—the same consideration applies with even greater force to the Members of this body. No President distributed Federal patronage by himself. With the power of confirmation lodged in the Senate, Federal patronage is distributed much more largely by the Members of the Senate than by the President.

There is no possible fear, Senators, that any man, occupying the position of President, can ever force his reelection by the use of patronage. There is no possibility that any man can perpetuate his power as President by the power which comes from occupying that position temporarily.

It is true that under the old system of nominations in conventions the power of patronage was tremendous. It was used to renominate Senator after Senator. It was used in a lesser degree to renominate Congressmen by the distribution of post offices in the district. But it has never yet, and it never will in the future, reelect any man to any office within the gift of the people.

We saw within the last year a President force his own renomination from the hands of an unwilling political party by the use of Federal patronage. The Senate remembers the incident, last February, when 10 nominations which had been sent to the Senate affecting post offices and collectorships in a certain Southern State were withdrawn en bloc and, in effect, put up to the highest bidder for delegates to the Republican national convention. While the use of patronage might have yielded delegates under the old plan of presidential nominations, it did not bring results in the elections. Last November the people of the United States in no uncertain terms expressed their opinion of a nomination forced by an Executive by the misuse of Federal patronage. You fear shadows, gentlemen, and not actual realities.

There will never be another President of the United States nominated under the old system. I think I am on fairly safe ground when I make that prophecy. The presidential preference primary is already here in 12 or 15 States, and within the coming four years, during President Elect Wilson's administration, I predict it will be put into effect in a majority of the States.

What is the power of Federal patronage under the new conditions of a presidential primary? The old plan of electing Senators within the next 60 days will have become a thing of the past. The constitutional amendment that we submitted last year for the direct election of Senators will probably be ratified by the necessary three-fourths of the States during the present sessions of the different legislatures. Whether it is or is not ratified, the manner of electing Senators, as a matter of fact, has already been relegated to a direct vote of the people under the primary systems in vogue in a majority of the States.

You are submitting a proposed amendment that the people of this country have not demanded, and you are doing it under the whip and spur of possible presidential candidates. Eliminate their individual ambition and the agitation for the one-term President would disappear like the morning mist.

I think I may offer another amendment to this resolution. The argument for it is just as valid as is the argument for the one term for the Presidency. If we are going to have a one-term President, why not follow it up and have a one-term Senator?

Any Senator who has served in this Chamber knows the great power, the great wisdom, the great efficiency, that come from long-time service in this body. Would any Senator argue that a Senator who has served two terms or three terms here is less patriotic than those of us who have served one term? The human intelligence revolts, Senators, against that kind of an argument.

Does any man believe that Abraham Lincoln was less patriotic during his second term than during his first? Was Jackson less effective as a President, was he less patriotic, during his second term than his first? Was McKinley or Madison or Monroe or Grant or any other man who has ever yet held that great office for more than one term less patriotic during his second than his first term?

The American people will take care of the election of a President. You need have no fear on that ground. You are offering something that is not demanded by the people, except the agitation that largely flows from personal ambition.

Do you, Democratic Senators, want to embarrass your incoming President, the first you have had for 16 years, by a resolution of the Senate which says to Woodrow Wilson, "No matter how good a President you may be during the next four years, no matter how effective you may be in administering that great trust, no matter how much you are entitled to the reward of a vote of confidence of your countrymen, at the end of that four-year term, in order to provide an opportunity for certain other politicians and statesmen who want to be President, we will now foreclose any hope that you may have for the reward that comes from work well done"?

Mr. MARTINE of New Jersey. Will the Senator permit me?

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from New Jersey?

Mr. DIXON. With a great deal of pleasure.

Mr. MARTINE of New Jersey. The President elect, Woodrow Wilson, has declared in most positive terms his adherence in the wisdom and the good sense of the people in favor of one term, and the great Democratic Party that assembled at Baltimore declared in favor of one term. Of course that term was supposed to be a four-year term. A very great body of the people of the United States have ratified that through Mr. Wilson's election. So I feel that the Senator may leave Woodrow Wilson out of the controversy.

Mr. DIXON. Does the Senator from New Jersey, the home State of the President elect, speak ex cathedra when he states that Woodrow Wilson would not have a second term?

Mr. MARTINE of New Jersey. He has so declared in a public way not to myself; and he is a man of convictions as we all know, and a man who generally can be relied upon and believed in any statement he has advanced. He has so declared, and our party has declared in most unmistakable terms in favor of one term.

Mr. DIXON. I merely wanted to inquire, and that was why I directed my remarks first to the Senator from Kentucky [Mr. PAYNTER], whether or not Woodrow Wilson has made any public declaration that he would not be a candidate for a second term.

Mr. MARTINE of New Jersey. Not in words, but he has declared on two or three occasions his judgment in the wisdom of one term.

Mr. DIXON. Was that declaration made before or after his nomination at Baltimore?

Mr. MARTINE of New Jersey. I think before his nomination; but he is a man of so much stability of character that you can understand he has not shifted overnight. My friend and the country may have implicit faith and reliance in his declarations as being the result of deliberate judgment.

Mr. DIXON. Can the Senator from New Jersey now refer me to any specific declaration at any specific time by the President elect?

Mr. MARTINE of New Jersey. I am at a loss at this moment to give you that reference.

Mr. DIXON. I should like to ask the Senator from New Jersey, who I doubt not is fully in the confidence of the President elect, whether or not immediately preceding the nomination at Baltimore there was any understanding between the President elect and a distinguished citizen of Nebraska regarding his future attitude in this matter, in the event of his nomination?

Mr. MARTINE of New Jersey. I can set the Senator at rest on that. I was not in conference previous to the Baltimore convention nor since it with the President elect.

Mr. DIXON. I understand, Mr. President, that at the other end of the Capitol there are two or three distinguished gentlemen holding strategic positions in that legislative branch of the Government who are waiting and anxious and willing for the passage of this resolution by the Senate in order to expedite its passage through the House before the termination of the present session of Congress.

Mr. MARTINE of New Jersey. I have no knowledge of any such desire.

Mr. DIXON. The Senator from New Jersey refers to the declaration of his party platform. Does the Senator know who was the author of that celebrated plank in the platform of the Baltimore convention?

Mr. MARTINE of New Jersey. I am not prepared to state who was the author. I think no single individual.

Mr. DIXON. I happen to hold in my hand——

Mr. PAYNTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Kentucky?

Mr. DIXON. With pleasure.

Mr. PAYNTER. If the Senator desires to know, I can state what has been publicly stated in some of the newspapers of Kentucky.

Mr. DIXON. I do not believe that the newspapers of Kentucky would be competent witnesses on this very personal question.

Mr. PAYNTER. I will give the Senator the information, and he can give such credit to it as he desires. It has been stated by some of the papers in Kentucky that ex-Gov. Beckham wrote that clause in the platform. I have no personal knowledge whatever on the subject.

Mr. DIXON. A Senator on my left remarks that he understood the name of the real author of that special plank in the platform begins with "B," but it is not Beckham, and he does not reside in Kentucky. I should like to ask the Senator from Kentucky if he ever heard any rumors of that kind?

Mr. PAYNTER. Is the Senator from Montana asking me a question? I will say to the Senator I do not desire to engage in any speculation which would deprive Kentucky of any honor to which she is entitled.

Mr. DIXON. Mr. President, I have here the "platforms of the two great political parties." That must be a misprint. The Senator from Rhode Island [Mr. LIPPITT] passed this up to me. I suspect there must be a misprint where it says "platforms of the two great political parties."

Mr. O'GORMAN. It was printed before the last election.

Mr. DIXON. The Senator from New York relieves my embarrassment. He says this book was printed before the last election. That evidently explains the typographical error, reading it in the light of the latest election returns. It says: "Platforms of the two great political parties, compiled by South Trimble, Clerk of the House of Representatives," with the date of July, 1912. I see where he made the error. This does not include the platform of the Progressive Party, which is now the second "great political party." I read from the Democratic platform:

TERM OF PRESIDENT.

We favor a single presidential term, and to that end urge the adoption of an amendment to the Constitution making the President of the United States ineligible for reelection, and we pledge the candidate of this convention to this principle.

Does not the Senator from New Jersey, on second thought, now get a clearer vision of the notion that Woodrow Wilson was for a single term? Might he not confuse it and take the Democratic platform rather than Woodrow Wilson's declaration?

Mr. MARTINE of New Jersey. I still believe and insist that President Elect Woodrow Wilson has so declared.

Mr. DIXON. Does not the Senator from New Jersey have an indistinct recollection of something spoken by Mr. Wilson in the far-distant past, when the President elect held different views on many things from what he has since he has had wider experience in national affairs, and possibly at that time he gave vent on some occasion to an ill-defined view that a single term might be better than to reelect an efficient President for a second term? I think the Senator from New Jersey will probably also be in accord with me when I say that that was before Woodrow Wilson had been President elect of the United States.

Mr. MARTINE of New Jersey. It does not militate at all against the assertion or the principle whether it was given before the election or after the election.

Mr. DIXON. Of course this plank was in the Democratic platform. That does not argue that any great percentage of the people of this country are demanding that we shall set aside the entire traditions of this Republic and declare that no efficient competent public servant can be reelected for the second time.

Mr. MARTINE of New Jersey. But it certainly——

Mr. DIXON. The plank of this platform—and I know what platform planks have meant many times in the past——

Mr. MARTINE of New Jersey. It is certain that——

Mr. DIXON. Just let me finish what I am saying.

The PRESIDENT pro tempore. The Senator from Montana has the floor.

Mr. DIXON. I remember in the Democratic platform four years prior to this one there was a specific, positive declaration for the entire removal of the tariff duties on lumber, manufactures of lumber, and print paper, and many other things that the Democratic Congressmen and Senators, when it came to final action, in no way recognized, and it was openly repudiated here on the floor of the Senate Chamber.

Mr. MARTINE of New Jersey. That does not militate at all against the assertion I made with reference to the President elect, nor does it prove anything to the contrary. The Democratic Party have declared unequivocally in this platform in favor of one term, and on every husting and in every newspaper our platform was published and republished. It was advocated by every man on the stump for the successful candidate, and acquiesced in by a majority of the votes of the people of the United States by a verdict that is sufficient in itself to be recognized as being a great public sentiment.

Mr. DIXON. The Senator from New Jersey will also remember that the Democratic platforms in the past have contained many declarations about things that the American people absolutely repudiated.

Mr. MARTINE of New Jersey. That is true, but they repudiated some other platforms.

Mr. DIXON. I will have to again remind the Senator from New Jersey that the American people have not indorsed that plank in the platform.

Mr. MARTINE of New Jersey. Not specifically that plank, of course. I realize that it may be argued that a majority vote of all the people of the United States was not cast for the President elect. But be that as it may, it is worth something as a verdict of public sentiment. It has not been combated by the Republican Party nor by the Progressive Party, nor has an attempt been made to stand against that specific plank in our platform.

Mr. DIXON. No; but by the wildest stretch of imagination the Senator from New Jersey would not argue that a majority or any respectable minority of the American voters have indorsed that plank, or that a majority of the American voters indorsed that platform in the election on the 5th of November. The Democratic Party polled the smallest percentage of the total vote at the last election that any political organization ever polled when it elected a President with one single exception.

Mr. MARTINE of New Jersey. If my Progressive friend can get any comfort out of any analysis of figures, God knows he is welcome to it. However, the verdict of the people has been pretty well declared. I would say, with all dignity and with all pleasantry, the Senator from Montana might just as well accept the situation agreeably and pleasantly. The next President is to be a Democrat, and, thank God, he comes from New Jersey, and we will dispense to you justice, fairness, and humanity. We are in favor of a system of political policy that shall check even the possibility in the vaguest way of a President conniving to make secure his reelection.

The arguments which have been advanced by the Senator now on the floor in this particular case, wherein he refers to the President taking out a whole batch of nominations in order that he might parcel them out to some communities or States wherein he could gain favor, to my mind is one of the strongest reasons in the world for the policy of one term.

Mr. DIXON. That is what I have just said to the Senate, and the Senator from New Jersey evidently heard me, that that policy had resulted in his complete repudiation by the American voters, and probably had as much to do——

Mr. MARTINE of New Jersey. Mr. President——

The PRESIDENT pro tempore. Senators will address the Chair and get permission to interrupt. Does the Senator from Montana yield to the Senator from New Jersey?

Mr. DIXON. Yes.

Mr. MARTINE of New Jersey. I will not say, nor do I agree, that the defeat of Mr. Taft is entirely attributable to the particular incidents to which the Senator from Montana refers, but it was bigger and broader things than that which brought about the annihilation of the Republican Party. It was the high-tariff policy of your party that has burdened and cursed the people of this country; they have opened their eyes to the iniquity of it, and the verdict is well recorded.

Mr. DIXON. I of course do not want to go into all the causes of the present situation which put the great Republican Party in the third place in the balloting of this Nation; but I do not believe that the Senator from New Jersey is doing a patriotic thing, is doing a wise thing, in acting under the spur of personal equation, rather than looking forward a hundred years into our coming national life, gauged by the result of the past 130 years of national life, respecting the election of the Chief Executive, when he urges at this time the passage of this joint resolution, which, in the light of all human experience, will not lead to better government or to a better personnel in the future Presidents of the United States.

You propose to exempt the Presidents from every other class of men holding positions of honor and trust. I want to reiterate, finally, that there is no reason why the President of the United States, holding the most exalted position of all, with every motive leading him to a higher aspiration than any other man holding an office, should be limited to the one term, when Senators who are voting for this joint resolution would consider it an insult to their conscience and their past services if you insinuated that a Senator should have only one term, because, perchance, he might use his first term, and the patronage and influence that came with it, in order to perpetuate himself in office.

I say again, there has been far greater crime—I will not say "crime"—but there has been far greater danger to the public service from a senatorial oligarchy, a few long-term Senators holding all the strategic positions in matters of legislation, than ever flowed from the White House from any man who ever was elected the second time to the Presidency of the United States. I think, if it is in order, I also want to offer an amendment limiting the senatorial term. Let us try it out with the same square rule. If the President is limited to one term, I think we should also submit to the people of the States—they may be just as anxious for that—a proposition limiting Senators to one term in the Senate. Will the Senator from New Jersey support me in that contention?

Mr. MARTINE of New Jersey. I feel that the situation is entirely different. A Senator has no appointing power.

Mr. DIXON. A Senator, as a matter of fact, has more appointing power than the President.

Mr. MARTINE of New Jersey. Well, by indirection the Senator may have a degree of appointing power, but the President is the source of the appointing power.

I appreciate the splendid thoughts that were just now advanced by the Senator from Montana. I realize that I am not a man of large experience in matters of government; I am entirely new; but I also realize, and I believe the Senator will realize with me, that the best of us are but human. The President of the United States is not unlike the Senator from Montana or the Senator from New Jersey. We are all liable to err, but with that full knowledge in view I believe I am better safeguarding not only the country, but that I am better safeguarding the future, those who will come after us, by staying the possible greed for power that may come and is to-day lodged in the minds of thousands of ambitious men throughout the length and breadth of our country. I shall therefore vote to sustain the proposition of one term, not for partisan purposes or for the purpose of aiding any individual, but upon the broad principle that I am thereby better advancing the welfare of my country and the happiness and prosperity of those who may come after us.

Mr. DIXON. Then why not apply it to the senatorial term?

Mr. MARTINE of New Jersey. I do not know but that I might be willing to meet you on that proposition. On general principles I believe the larger the number who can come in contact with and aid in the direction of the policy of the Government the better citizenship and the better Republic we shall have. So the Senator can not stump me on that.

Mr. DIXON. Now, I see I have already made one convert. [Laughter.] It had never occurred to the Senator from New Jersey that the curse of Federal patronage, the danger of Federal patronage, lies not in the President but in the Senators and the Representatives of the United States. The Senator from New Jersey and every other Senator knows that. While we technically refer to the power of presidential appointments, does the President of the United States make an appointment in Massachusetts when the Senators from that State are in political accord with him, except on the initiative of the Senators from Massachusetts?

Mr. MARTINE of New Jersey. Well, I know——

Mr. DIXON. The President elect, in making his New Jersey appointments, in all human probability will take what will soon be the senior Senator from New Jersey into very strict and confidential communication. We know and the country knows that the President does not distribute patronage, but that the Senate of the United States distributes patronage.

The Members of the House of Representatives name the postmasters of the country; the Senators name the marshals, the collectors, and the Federal judges. There may be once in a while an exception to the rule. It is not the patronage of the President; it is the patronage of Representatives and Senators.

If you want to eradicate the evil, let us apply the same rule to ourselves that we are going to try to apply to the President of the United States. There is just as much argument for limiting your tenure to one term in the Senate as for limiting the President to one term. The Senator from New Jersey happily, on second thought, agrees with me. If we are going to upset the traditions of the whole history of the Republic and to eradicate for the future the possibility of second Lincolns and Washingtons and Jacksons and McKinleys, let us do it with even-handed justice, let the committee withdraw the present joint resolution, go back to the seclusion of their committee room, and report a new joint resolution proposing to amend the Constitution limiting the senatorial service to one term, the presidential service to one term, and, by the same rule, congressional service to one term, and let us submit it all to the people of the United States and see what they will have to say about it.

I have occupied much longer time than I had dreamed of doing. I desire again to reiterate that, under the old system of nominations, Federal patronage was a powerful influence in causing a nomination, but it never has been and never will be of any influence in forcing an election. One man can take a pony to the water, but 20,000 men can not make him drink.

Mr. WILLIAMS. Mr. President, sometime ago I presented an amendment intended to be proposed to the joint resolution. I wish now to modify it somewhat and, if it be in order, to offer it now. If it is not in order now, then I give notice that I will offer it later.

Mr. CUMMINS. Mr. President, will the Senator from Mississippi yield to me just for a moment?

Mr. WILLIAMS. For what purpose?

Mr. CUMMINS. I want to recall to the attention of the Chair the position of the amendment offered, or which I thought was offered, by the senior Senator from Georgia [Mr. BACON].

Mr. WILLIAMS. I will be through in a second, but I will yield to the Senator.

Mr. CUMMINS. I think it might make some difference, possibly, with the offering of the amendment of the Senator from Mississippi. My attention was diverted a moment ago while the Chair announced his construction of what occurred on the 15th of August last. I have always supposed that the amendment offered by the Senator from Georgia would be the pending question whenever the joint resolution was under consideration. The Chair, by looking up the RECORD, will see that upon a vote in the Senate the joint resolution was taken up, and while it was under consideration Mr. BACON said:

I simply desire to offer an amendment, and I will ask the Secretary to take it down. It is on the sixth line on the second page, to strike out the word "six" and to insert the word "four." I do not ask to do anything more now than to have that entered.

The last sentence, I assume, had reference to a general understanding that the debate would not proceed at that time; but it seems to me very clear that the Senator from Georgia did offer the amendment and that it is now pending. I simply desire to keep the record straight; that is all.

The PRESIDENT pro tempore. Upon reconsideration of the matter, the Chair is of opinion that the Senator from Iowa is right. The Chair is informed that at a subsequent time, when the Senator from Georgia himself was in the chair, he considered that his amendment was pending.

Mr. CUMMINS. I remember that also.

The PRESIDENT pro tempore. And the present occupant of the chair would reverse the suggestion made a little time ago, and consider that the amendment offered by the Senator from Georgia is now pending and is the question before the Senate. The amendment of the Senator from Mississippi [Mr. WILLIAMS] can be read for information, but it is not in order for consideration at the present time.

Mr. WILLIAMS. Mr. President, I wish to call the attention of the Senate to the amendment and its purpose. The amendment as originally presented by me contained in the latter part phraseology which I took from the joint resolution which is pending before the Senate. So far was I from thinking that the amendment did affect anybody personally who had been a candidate for the Presidency that I did not reflect about that at all. I am very desirous that whatever amendment does pass and does go before the people shall go before them without arousing necessarily the antagonism of the followers of any man or those who have been followers of any man. The amendment as I now present it changes the original amendment, as I shall indicate. The original amendment provided:

No person who has held the office by election, or discharged its powers or duties, or acted as President by succession for any term or fraction of a term under the Constitution and laws made in pursuance thereof shall be reeligible beyond his second term or term and a fraction.

Now, I have changed it so that it will read:

No person who shall hereafter hold the office or discharge its powers or duties—

And so forth.

The amendment, as I offer it now—and I ask the attention of Senators to it, because it is a mere putting into the Constitution of what I regard as being the unwritten law of the Republic—is to strike out all after the resolving clause and to insert the following:

The executive power shall be vested in a President of the United States of America. The term of the office of President shall be four years. He shall be reeligible for one additional term of four years, and not thereafter reeligible at any time. No person who shall hereafter hold the office or discharge its powers or duties, or act as President by succession for any fraction of a term under the Constitution and laws made in pursuance thereof shall be reeligible beyond such a fraction of a term and for one term by election.

The President, together with a Vice President chosen for the same term, shall be elected as follows.

That strikes out everything in the original amendment which might have looked as if it were intended to strike at an ex-President or an ex-candidate for the Presidency. I understand that the amendment is not now in order.

The PRESIDENT pro tempore. It is not now in order.

Mr. WILLIAMS. I ask that it may be printed as an amendment and be pending.

Mr. DIXON. Mr. President, I should like to ask the Senator from Mississippi a question. As I understand, the Senator has now so arranged his amendment that it does not include the man who has been twice President. He would not be debarred.

Mr. CLARKE of Arkansas. Mr. President, I send to the desk an amendment, which I propose to offer when the time arrives for the consideration of such an amendment, to be added as a proviso at the end of line 10, on page 2, after the word "election."

The PRESIDENT pro tempore. Does the Senator from Arkansas desire to have the amendment read?

Mr. CLARKE of Arkansas. I desire it to be read and printed, so that it may be pending.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. On page 2, line 10, after the word "election," it is proposed to insert the following proviso:

Provided, That the foregoing provisions shall not affect the eligibility to reelection of the President or Vice President in office at the time of its adoption as a part of the Constitution, nor that of any person who has served in either of said offices prior thereto.

Mr. CLARKE of Arkansas. I favor the proposed amendment to the Constitution limiting the presidential term to a single period of six years. But I think it would cheapen this great public question to give it a possible personal application to any individual. The movement itself antedated the present situation of affairs with reference to the personnel of recent and probable future presidential aspirants which arose to confuse the councils of its friends.

The question itself is possessed of merits of the most far-reaching and important character. These can only be obscured and minimized by associating their discussion with the personal aspect of politics. In the present day the business of legislating, so far as it relates to the larger public questions, has been evolved into a system entirely distinct and different from that contemplated by the Constitution, and which was of every-day practice in the early days of this Government. We are gravitating more nearly to the European system of having measures of great importance projected and actively promoted by a so-called responsible ministry. They come to us in the form of a redemption of the platform promises of the party to which the President belongs, or they are deemed administration measures evolved by current demands of the public service, or subsequently adopted as party propositions.

With the power to dispense patronage, and the power to intrigue for renomination and reelection, such measures are very seriously handicapped, or they are unfairly promoted by that group of powers which the President in modern times exercises. I think the question is of sufficient magnitude by and of itself to engage the attention of Congress without having it fettered with the remotest personal aspect of the question.

Again, I do not believe that in this Republic any man is sufficiently dangerous, nor is he of sufficient importance, to be complimented by having it understood that the Constitution must be amended to get rid of him or to safeguard the interests of the Republic by excluding him from office. Common sense, patriotism, sense of justice, and the love of country will be amply sufficient to protect this country against any such alleged "bad man." I am not inclined to believe that there are any bad men offering for this office or ever likely to offer for it. There are none in existence who have occupied it who have not left behind them when they left office admirers and supporters who do not believe that the public service would have been substantially advanced in efficiency had they been continued in the office.

The recklessness and heat of political debate sometimes lead to the use in public discussion of epithets and criticisms that are far beyond the limits of fact and the proprieties with which we debate and consider questions of importance here. So my purpose in offering this amendment is to really assist in the ultimate passage of the proposition to limit the presidential office to a single term of six years, and I believe its final adoption will be very greatly promoted by incorporating in the resolution affirmative language indicating that it is not our intention to interfere with any of the merely personal features of pending political controversies.

Mr. ROOT. Mr. President, I had prepared an amendment having the same purpose as that which has just been so well stated by the Senator from Arkansas. I think I will send it to the desk and have it read. Perhaps some Senators may prefer that.

The PRESIDENT pro tempore. The proposed amendment will be read.

The SECRETARY. On page 2, line 9, after the word "thereof," it is proposed to insert—

After the 4th day of March, 1917.

Mr. ROOT. The design of that amendment is to make this resolution applicable only to those who are elected or hold office after the 4th of March, 1917.

Mr. CLARKE of Arkansas. That is substantially what I intended to do; but the language I employed would fit in better, in the event the committee amendment should be adopted in lieu of the original proposition. But either will answer the purpose.

Mr. ROOT. Mr. President, I think changing the Constitution in a matter affecting the framework of our Government is too serious to be complicated by any personal considerations. I do not think we ought to have any question about Mr. Wilson or Mr. Roosevelt or Mr. Taft or anybody else when we are considering what shall be the framework of the Government of this country for generations to come, and we should carefully exclude any possibility of such considerations.

Mr. WORKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from California?

Mr. ROOT. Yes; I will be glad to yield.

Mr. WORKS. If the Senator is about to conclude, I will wait.

Mr. ROOT. I was about to conclude. I have said substantially what I wish to say.

The proposed change from the customary two terms, provided the same party continues in power, to a single term of six years commended itself to me. I should not be willing to limit it to one term of four years, for I think a President uses the first part of that time in getting familiar with his office, so that he reaches the point of highest efficiency, and in the last part of it his efficiency is greatly decreased by the fact that he is going out of office and his power is vanishing.

I look upon this subject from a little different point of view than that which I heard stated here; and that is from the point of governmental efficiency.

I think the possibility of renomination and reelection of a President who is in office seriously interferes with the working of our governmental machinery during the last two years of his term; and just about the time he gets to the point of highest efficiency people in the Senate and in the House begin to figure to try to beat him. You can not separate the attempt to beat an individual from the attempt to make ineffective the operations of the Government which that individual is carrying on in accordance with his duty. Legislation in this Congress has been largely dominated for two years past by considerations of that sort; and I should like to see those considerations exiled from these Halls.

The work of the executive departments is affected by a situation of this kind. The heads of bureaus, and the heads of divisions, and the clerks, and the subordinate officers begin toward the end of a term to turn their attention to the question of election or reelection, and their efficiency is greatly decreased.

I think we would have a more effective Government if we exiled from the considerations operating upon both legislation and administration any idea of reelection of the President. It is for that reason that I have felt very favorably inclined toward this amendment.

Mr. WORKS. Mr. President, I have already discussed this question at considerable length, and I am not disposed to take up the time of the Senate in further discussion. But I do want to say, in view of some remarks that have been made on the floor this morning, that at the time I introduced this resolution I disavowed any intention of favoring any man or any candidate for office. Therefore I thoroughly appreciate the views on that subject of the Senator from Arkansas and the Senator from New York. I should like to have every personal interest eliminated from this controversy. It is a great fundamental question that we are dealing with here. It ought not to be complicated in any way by the interest any individual may have in the result of the votes that may be taken upon it.

Therefore I am very much in sympathy with the proposition to have this resolution take effect at the expiration of the next term of the President of the United States, so that all questions of its affecting candidates or persons who have already been elected may be eliminated from the controversy.

Mr. BRISTOW. Mr. President, may I inquire what the pending amendment is?

The PRESIDENT pro tempore. The pending amendment is the amendment submitted by the senior Senator from Georgia [Mr. BACON] to strike out "six" and insert "four."

Mr. BRISTOW. I desire to state that at the proper time I shall offer the amendment which I send to the desk, and I ask to have it read and printed.

The PRESIDENT pro tempore. The amendment will be read, and will be printed.

The SECRETARY. It is proposed to insert the following as a separate paragraph after line 10, on page 2:

The Congress shall have power to provide for the recall of the President by a popular vote at any biennial election.

The PRESIDENT pro tempore. The question is upon the amendment submitted by the Senator from Georgia [Mr. BACON] to the amendment of the committee.

Mr. CUMMINS. Upon that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS. Mr. President, before the yeas and nays are taken I want to make a statement in explanation of the vote which I shall cast upon the amendment. I understand that it proposes to strike out "six years" and substitute "four years."

I shall vote for the amendment, with a view of perfecting the resolution and making it better, though I shall afterwards offer a substitute for it as amended. My reason is that I think six years is too long to have a bad President in the White House, if we ever should have one. I think four years fits in better with all the balance of our system. It fits in better with the terms of Members of the House. It fits in better with everything. I am of the opinion that Mr. Jefferson once uttered that the present practice, which is practically a term of eight years with the opportunity of recall in the middle of the term, is better than either of the others. But I think the argument made by the Senator from Massachusetts is sound, and it would apply not only to a six-year but to a seven-year term. You are emphasizing rather than diminishing the defect of our system as it is, and that defect consists in the fact that now and then you have a legislature and an Executive out of sympathy with one another; and to perpetuate the period during which they may be out of sympathy with one another is to perpetuate lame and impotent and unsatisfactory government.

Mr. OWEN. Mr. President, I ask that the amendment be read.

The PRESIDENT pro tempore. The amendment will be again read.

The SECRETARY. On page 2 in the proposed amendment of the committee, on line 6, before the word "years," it is proposed to strike out "six" and insert "four," so that if amended the clause will read:

The term of the office of President shall be four years.

Mr. WILLIAMS. Mr. President, I suggest the absence of a quorum. This is a rather important matter, and we should have a quorum in the Chamber when it is passed upon.

The PRESIDENT pro tempore. The Senator from Mississippi suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Dixon	McCumber	Sanders
Bankhead	du Pont	McLean	Shively
Bourne	Gallinger	Martine, N. J.	Simmons
Bradley	Gamble	Myers	Smith, Ariz.
Brandegee	Gardner	O'Gorman	Smith, Ga.
Bristow	Gronna	Oliver	Smith, Md.
Bryan	Guggenheim	Overman	Smoot
Burnham	Hitchcock	Owen	Stephenson
Burton	Jackson	Page	Sutherland
Catron	Johnson, Me.	Paynter	Swanson
Chamberlain	Johnston, Ala.	Percy	Thomas
Clapp	Jones	Perkins	Thornton
Clark, Wyo.	Kenyon	Perky	Townsend
Cullom	Kern	Pomerene	Wetmore
Cummins	Lippitt	Richardson	Williams
Dillingham	Lodge	Root	Works

Mr. THORNTON. I desire to announce the necessary absence of my colleague [Mr. FOSTER] on account of illness in his family. I ask that this announcement may stand for the day.

Mr. TOWNSEND. The senior Senator from Michigan [Mr. SMITH] is necessarily absent from the city. I desire this announcement to stand for the day.

Mr. SWANSON. I desire to announce that my colleague [Mr. MARTIN of Virginia] is detained from the Senate on account of illness.

Mr. KERN. I wish to announce the unavoidable absence of the junior Senator from South Carolina [Mr. SMITH] on account of illness.

Mr. TOWNSEND. In addition to my statement in reference to the absence of the senior Senator from Michigan [Mr. SMITH], I desire to state that he is paired with the junior Senator from Missouri [Mr. REED].

The PRESIDENT pro tempore. On the call of the roll 64 Senators have answered to their names. A quorum of the Senate is present.

The question is upon the motion submitted by the senior Senator from Georgia [Mr. BACON], upon which the yeas and nays have been ordered.

Mr. ASHURST. I ask that the amendment be read.

The PRESIDENT pro tempore. The amendment will be again read.

The SECRETARY. On page 2, in the proposed amendment of the committee, line 6, before the word "years," it is proposed to strike out "six" and insert "four"; so that, if amended, that portion of the amendment will read:

The term of the office of President shall be four years.

The PRESIDENT pro tempore. The Secretary will call the roll on agreeing to the amendment of the Senator from Georgia [Mr. BACON] to the amendment of the committee.

The Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. I transfer that pair to the junior Senator from Nevada [Mr. MASSEY]. I desire this announcement to stand for the day. I vote "nay."

Mr. DILLINGHAM (when his name was called). I transfer my general pair with the senior Senator from South Carolina [Mr. TILLMAN] to the Senator from New Mexico [Mr. FALL], and I vote "nay."

Mr. DU PONT (when his name was called). I have a general pair with the senior Senator from Texas [Mr. CULBERSON]. As he is not present in the Chamber, I will withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. GARDNER (when his name was called). I have a general pair with the Senator from Massachusetts [Mr. CRANE], and I withhold my vote.

Mr. LIPPITT (when his name was called). I have a general pair with the senior Senator from Tennessee [Mr. LEA]. In his absence, I will withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. OWEN (when his name was called). I transfer my pair with the Senator from Kansas [Mr. CURTIS] to the Senator from Georgia [Mr. BACON] and vote. I vote "yea."

Mr. RICHARDSON (when his name was called). I have a general pair with the junior Senator from South Carolina [Mr. SMITH]. In his absence, I withhold my vote. If he were present, I should vote "nay."

Mr. SUTHERLAND (when his name was called). Has the Senator from Arkansas [Mr. CLARKE] voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. SUTHERLAND. I have a pair with that Senator. Not knowing how he would vote, I withhold my vote. If I were permitted to vote, I should vote "nay."

Mr. WILLIAMS (when his name was called). I have a pair with the Senator from Pennsylvania [Mr. PENROSE]. Not being satisfied in my mind as to how he would vote on this particular amendment, I withhold my vote. If he were present, I should vote "yea."

The roll call was concluded.

Mr. CHILTON. I wish to announce the pair of my colleague [Mr. WATSON] with the Senator from New Jersey [Mr. BRIGGS].

Mr. THORNTON. I wish to announce that the senior Senator from Wyoming [Mr. WARREN] is paired with the senior Senator from Louisiana [Mr. FOSTER].

The result was announced—yeas 25, nays 42, as follows:

YEAS—25.

Ashurst	Clapp	McCumber	Smith, Ariz.
Bankhead	Dixon	McLean	Smith, Ga.
Borah	Gronna	Martine, N. J.	Smoot
Bourne	Johnston, Tex.	O'Gorman	Stephenson
Bristow	Kenyon	Owen	
Catron	La Follette	Perky	
Chamberlain	Lodge	Shively	

NAYS—42.

Bradley	Fletcher	Myers	Sanders
Brandegee	Gallinger	Nelson	Simmons
Brown	Gamble	Newlands	Smith, Md.
Bryan	Guggenheim	Oliver	Swanson
Burnham	Heiskell	Overman	Thomas
Burton	Hitchcock	Page	Thornton
Chilton	Jackson	Paynter	Townsend
Clark, Wyo.	Johnson, Me.	Percy	Wetmore
Cullom	Johnston, Ala.	Perkins	Works
Cummins	Jones	Pomerene	
Dillingham	Kern	Root	

NOT VOTING—28.

Bacon	du Pont	Martin, Va.	Smith, S. C.
Briggs	Fall	Massey	Stone
Clarke, Ark.	Foster	Penrose	Sutherland
Crane	Gardner	Poindexter	Tillman
Crawford	Gore	Reed	Warren
Culberson	Lea	Richardson	Watson
Curtis	Lippitt	Smith, Mich.	Williams

So Mr. BACON's amendment to the amendment of the committee was rejected.

Mr. BRISTOW. I should like to have the amendment I just offered now read.

The PRESIDENT pro tempore. The Senator from Kansas submits an amendment, which will be read.

The SECRETARY. After line 10, on page 2, insert:

The Congress shall have power to provide for the recall of the President by a popular vote at any biennial election.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Kansas to the amendment of the committee.

Mr. BRISTOW. Mr. President, I am very much opposed to this amendment to the Constitution, because I believe that the four years is a long enough term for the President before the people shall have an opportunity to pass judgment on his administration. I think the Senator from Massachusetts [Mr. LODGE] this morning presented very clearly one of the weaknesses of our system of government. It not infrequently occurs that the President is out of harmony with the Congress politically, and the result is that important legislation is held up until the country has had an opportunity to pass upon the issues involved in the controversy.

When a President has had two years and his administration is not satisfactory to the American people, they usually elect a Congress of political views different from those of the President. The purpose of the people is to express dissent from the administration in power. In my opinion that should mean a reversal in the policy of the Government, but under our system it can not result in a reversal in the policy of government; it only means a suspension of the functions of government to a certain extent; that is, the laws or the policies which the President stands for and which the people have disapproved can not be changed, because he has the power to stop the legislation. We have had an experience now of two years in which the Congress differs with the President upon the questions of tariff. The country has passed upon the tariff policy of the present administration adversely to the President, but the President, being in power for four years, has for two years prevented the will of the people, as expressed in the congressional elections, from being enacted into law. This has happened time and again in the history of our country.

So I think it would be dangerous and highly unsatisfactory if the President should have the power to suspend action for four years instead of two, which would be the case in the event that a constitutional amendment of this kind should be adopted.

If there is anything in the theory of our Government that it is a government which rests upon the will of the governed, then there ought to be means by which the will of the governed can become manifest and effective.

Instead of making the Government more flexible and more responsive to public will this constitutional amendment proposes to make it less flexible and more irresponsive to the public will. The argument that is made here on the floor in behalf of the amendment is that it relieves the President from any responsibility to the people for his administrative acts. It is proposed to intrench him in office beyond their reach, regardless of the character of his administration.

The Senator from Massachusetts never expressed a more potent truth than when he said that if the people want to reelect a man perpetually and establish a dictatorship paper constitutions will not prevent them from doing it. This is a step in the direction of preventing public opinion from exercising its will in an orderly way in the government of the United States.

One of the amazing things in connection with this controversy is that it seems to have the support of the Democratic Party. I have always understood that the Democratic Party believed in popular government; that it claimed to believe in the wisdom of the people. Yet we have here the contradictory proposition of the Democratic Party as a party supporting a proposition to take from the people the power to reelect a man if they think he has made a good public servant. It refuses to permit them to pass judgment upon the character of his administration. This proposition is based upon the theory that the President should be independent of the people.

This amendment is contrary to the trend of modern thought, to the political movement of modern times, because the evolution of our Government has been to give the people more power and not take from them powers which they now have.

It is said that the President during the last years of his administration may become a poor President, because he seeks to popularize himself with the people for the purpose of securing a reelection; that it is a bad thing for the President to seek to please the people who chose him to govern them, and therefore we will take from them the right to reelect a man because

he has pleased them; and we will take from the President the incentive to respond to the popular will in his administration. That is what this means, and that is the very theory upon which it is being pressed.

I believe that the American people are perfectly capable of selecting their Presidents. I have not any less faith in the intelligence of the American people to-day than had our fathers when the Constitution was adopted. They did not believe that it was unsafe to permit the American people to have the opportunity of reelecting their President. They believed that the American people at that time could be trusted, that they had sufficient intelligence and information to act wisely. I do not believe it has ever been claimed that they were not patriotic. The allegation has never been made that the American people did not love their country and did not want to exercise the functions of the Government which they had the privilege of exercising in harmony with what would be for the best interests of the country.

But it has been alleged that the public itself has not the information, has not the intelligence, to judge wisely in regard to laws or governmental policies. But it has remained for this day for any considerable coterie of statesmen to question their wisdom in selecting their Presidents. If 130 years ago leading statesmen of our country believed that then it was perfectly safe to permit the people to have the opportunity of reelecting a President if they saw fit, is it not just as safe now? When the Constitution was adopted there was but two daily papers in the United States and neither of them had a circulation of fifteen hundred. Now, there are thousands of them, many of which have circulations aggregating hundreds of thousands.

Mr. HITCHCOCK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Nebraska?

Mr. BRISTOW. I do.

Mr. HITCHCOCK. The Senator from Kansas thinks that because our forefathers decided, after prolonged debate, to make no prohibition against the reelection of the President, therefore we in this day, after our experience of more than 100 years, should take their judgment. I ask him in reply, if that assumption or conclusion is correct, would it not also be true that we should take the judgment which they then rendered upon the election of United States Senators instead of now making up our minds to change the arrangement as they then made it and make those Senators elected directly by the people instead of by the legislatures, as our forefathers designed?

Mr. BRISTOW. The premise of the Senator from Nebraska is not correct. I did not say that because our forefathers thought it would be safe for the people to be trusted with the power to reelect therefore we ought to be able to trust them. I did say, in substance, that if they believed, with the facilities for popular information which then existed, it was safe to trust the American people, certainly with the enlarged opportunities for public information, with the increased capacity of the American people to judge upon public questions, it does not become us now to take from the people an authority which our fathers thought they at that time were capable of wisely and safely exercising. If the argument was sound then it is a thousandfold sounder now.

I will say further to the Senator from Nebraska that even if our fathers, when the Constitution was adopted, had forbidden the American people by its provisions to reelect a President, I would now be in favor of taking out of the Constitution that restriction.

Mr. HITCHCOCK. I am very glad to hear the Senator say that, because it seems to me that the argument he made was without very good foundation, and he practically abandons it now when he says that he does not believe in taking their judgment in the light of recent experience.

Mr. BRISTOW. I think the Senator is entirely mistaken, or he did not understand me. I am afraid that he has not been listening with his usual attention. I have not abandoned any argument or any position that I took. I am simply emphasizing the position which I took and trying to call to the attention of the Senate the reasons why the people should now or could now more safely be trusted with this authority than they could 130 years ago. If it was safe then, as our fathers believed, and experience has demonstrated they were right, why is it necessary now to take from the people this right which they have enjoyed for that time and which every Senator in this Chamber must admit they have exercised wisely, because there is not a Senator who will rise from his seat and declare that this power has been abused by the American people in the past. They have not reelected a President who has abused the power of the Presidency, but the uniform experience of the American people in the administration of their Government has been that whenever a President was not a good President he is removed at the end of four years by selecting his successor. It is an amazing proposition to me that this amendment can command the support that it now does, and, regardless of the amendments submitted here to-day, which doubtless will be incorporated in the joint resolution before it is acted upon, I believe the motive that prompts many of the advocates of this constitutional amendment—I do not say all, for I know it is not true as to all—is to keep the Presidency open so that this great honor may be passed around to gratify ambitious statesmen instead of being used to serve the best interests of a nation of 90,000,000 people.

The Senator from Montana [Mr. DIXON] referred to some of the Presidents who had been reelected, indicating that it would not have been in the public interest to have changed the national administration at certain critical periods in the history of our country. There has never been, in my judgment, a great President who has not been reelected. I do not believe that the American people have ever refused to reelect a great President who had served them wisely. They have never elected a man for the third time, and possibly the action of Washington in refusing a third election, basing it upon the ground he did, has had a tremendous influence in preventing the election of any man for the third time.

But nevertheless, in my judgment, that has only been a factor, because in the development of our political institutions it has not been customary, and it has not been the habit of the American people, to continue any administration, personal or partisan, for a long period of time. The Republican Party, I believe, will have had continuous control of the Government of the United States for 16 years on the 4th day of next March, and, if I remember accurately, that is the longest period when the administration of the Government has ever been intrusted in the hands of any one party. Parties in power gradually become arbitrary and seem to lose touch, to use a common phrase, with the rank and file of the population. When they do so they are retired and their opponents are placed in charge of the Government. If the opponents do not exercise that power or that responsibility in harmony with public opinion the opponents are soon retired, and the defeat serves as a warning, as an instruction, as a discipline to the party that had theretofore controlled the Government. So the very operations of this Government of ours have been such, judging from the experience of the past, as to make the limitation proposed wholly unnecessary.

There is not a Senator here who will point to any period in the history of his country and cite it as an example that justifies this change in our Constitution. The experience of 130 years has demonstrated that this power has never been used except wisely by the American people. Then why is it to be taken from them? Ah, my friends, I wish——

Mr. WILLIAMS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Mississippi?

Mr. BRISTOW. I do.

Mr. WILLIAMS. If the Senator from Kansas will permit an interruption, I wish to ask does the Senator understand this joint resolution as taking any power from the American people?

Mr. BRISTOW. I certainly do.

Mr. WILLIAMS. I had, then, a misapprehension. I thought that the joint resolution was to submit the question to the people whether or not they should take certain powers from themselves.

Mr. BRISTOW. Oh, yes; I understand. That has been referred to once before here this morning by a Senator in discussing the question, but Senators do not vote upon these constitutional amendments simply for the purpose of submitting them. Heretofore, at least, such an amendment has reflected the judgment of the Senators who voted upon it. We have not submitted amendments as they come along and passed them on to the people; that has not been the practice of the United States Senate or of the House of Representatives.

Mr. WILLIAMS. Mr. President, my question was not directed to that. I did not say that any Senator voting for the amendment would not also be willing, as one of the people, to vote to circumscribe his power as one of the people that far; but the Senator has been arguing for about 10 minutes upon the line that we are depriving the American people of an opportunity, of a liberty, and of a power, when really what we are proposing to do is to submit to them a joint resolution which, so far from depriving them of any power, gives them a power to deprive themselves of a power, and which requires a vote of three-fourths of all the States in the Union voting by a majority of the people before it can become effective.

Mr. BRISTOW. I shall be very glad if the Senator from Mississippi will take that same view of his responsibility in

submitting an amendment when some amendments which are now pending before the Committee on the Judiciary come before the Senate for action.

Mr. WILLIAMS. Mr. President, I beg the Senator's pardon once more. The Senator seems still to misunderstand me. It is the duty of a Senator to reflect his own opinion as a citizen in the vote which he casts upon a proposed amendment to the Constitution. But that is not the question. The Senator is making a speech to go to the world for the purpose of influencing public opinion, and he seems to be trying to make the impression upon the people that we are depriving them of an opportunity or of a power, whereas the truth is that those of us who think that we are willing to circumscribe our power as a part of the people to this extent are submitting it to the remainder of the people to see if they are willing to do so.

Mr. BRISTOW. I am making a few remarks for the purpose of impressing the country with the fact that a large number of the membership of the United States Senate believe there should be taken from the people the power to reelect a President even if he has been a satisfactory one, for the passing of this joint resolution can mean nothing else.

Mr. OWEN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Oklahoma?

Mr. BRISTOW. I do.

Mr. OWEN. I wish to call the attention of the Senator from Kansas to the fact that when this joint resolution is submitted to the people, it is not submitted to the people, but is submitted to the delegates of the people, much smaller in number, who may be more easily influenced in the matter than the people, and the people do not in reality pass upon the joint resolution. I think the Senator from Kansas is entirely right in demanding the right of recall on any man who is put in the presidential chair.

Mr. BRISTOW. I thank the Senator from Oklahoma.

Mr. DIXON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Montana?

Mr. BRISTOW. I do.

Mr. DIXON. I merely want to supplement what the Senator from Oklahoma [Mr. OWEN] has said. As a matter of fact, the people of the United States will never have any opportunity to pass on these matters. With the 48 States, averaging probably 125 members of the legislature to a State, it is within the power of less than 6,000 people by the membership of those legislatures to effectually and perpetually tie the hands of the American people in this matter.

Mr. WILLIAMS. Mr. President, if the Senator from Kansas will pardon me——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Mississippi?

Mr. BRISTOW. I do.

Mr. WILLIAMS. In reply to the Senator from Montana [Mr. DIXON], I will say that his remarks rest upon an assumption which I do not believe has any foundation in fact, and that is that when the legislatures of three-fourths of the States of the American Union vote in a certain way they do not reflect the opinion of the American people; that his assumption is an assumption which takes it for granted that representative government is a broken reed; that it is an obsolete, useless, and ridiculous institution; that the representatives of the people in the States do not represent the people who make them representatives. That now and then there should be a Judas Iscariot amongst the Twelve Apostles goes without saying; that there should now and then be representatives of the people who misrepresent the people goes equally without saying; but I, for one, get a little tired of the assumption, generally made oracularly, that when the representatives of the people act in the name of the people and for the people, exercising the functions which the people have intrusted to them, the people have neither part nor parcel in their action.

Mr. DIXON. Will the Senator from Kansas permit me to make a suggestion?

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Montana?

Mr. BRISTOW. I do.

Mr. DIXON. The Senator from Mississippi [Mr. WILLIAMS] evidently overlooks the fact that in every other constitutional amendment submitted by Congress to the legislatures of the different States such submission has been for the purpose of enlarging the power of the people themselves. This is the only constitutional amendment proposed to be submitted that has for its purpose the curtailment of the power of the people.

Mr. WILLIAMS. That is a totally different question; that is going to the merits of the proposition.

Mr. DIXON. The amendment rests on an entirely different basis from that of any other constitutional amendment heretofore submitted. It tends to curtail the power of the people, while every other constitutional amendment has had for its purpose the enlargement of the power of the people themselves.

Mr. WILLIAMS. I do not care to reply to that, because that is going to the merits of the proposition, and I do not think it is fair to take up the time of the Senator from Kansas [Mr. BRISTOW] for that purpose. That goes to the main argument and is a total deflection from the point I was making, which was that the Senator from Kansas was making an appeal to the people that they were being sacrificed and deprived of something by us, whereas as a matter of fact, it will rest with them as to whether it shall be consummated or not.

Mr. OWEN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Oklahoma?

Mr. BRISTOW. I do.

Mr. OWEN. I merely want to suggest that representative government has so far failed in the United States that the people from one end of this Nation to the other have risen in rebellion against it, and from the Pacific coast to Maine have demanded the right to again take into their owns hands, when necessary, the direct power to govern.

Mr. BORAH. Mr. President, I do not agree with the Senator from Oklahoma——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Idaho?

Mr. BRISTOW. I do.

Mr. BORAH. I do not agree with the Senator from Oklahoma that representative government has failed. It has not failed. Because a representative now and then has proven incompetent it can not be said that representative government has failed. But if it has failed this is not the remedy for it. We are now proceeding contrary to the doctrine which the Senator from Oklahoma urges, and not in harmony with it, when we undertake to take away from the people the right to select whom they would for their Chief Magistrate.

Mr. HITCHCOCK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Nebraska?

Mr. BRISTOW. I do.

Mr. HITCHCOCK. Does the Senator from Idaho [Mr. BORAH] think that the present restrictions in the Constitution should be eliminated and that the people should be given the unrestricted right to select whom they please for President? We have, for instance, a restriction that a man not a native of the United States shall not be President and that a man below a certain age shall not be President. We have similar limitations which apply to Senators. Does the Senator from Idaho take the position that no restriction should be applied to the office of President of the United States?

Mr. BORAH. I will answer that question by asking the Senator from Nebraska a question. Does the Senator from Nebraska think, if those restrictions were taken off, there would be any danger from leaving it to the people to select whom they would to represent them in the Senate? I accept the doctrine of representative government in all its logical conclusions.

Mr. HITCHCOCK. I do not think it is a question of providing against a danger. I think we are here to endeavor to so amend the Constitution of the United States as to improve the conditions surrounding the exercise of Executive power. We had a spectacle here only a few months ago of the office of the President of the United States being prostituted for the purpose of making a disgraceful campaign. That would not have been possible if this prohibition had been part of the Constitution. We saw the President of the United States leave the White House and go out upon a campaign of competitive personal vilification. We have seen over and over again months of the time of the President taken up in the effort to secure his reelection and in preparing for it, and I think it is a very wise thing to place a limitation upon the people of the United States and to make it impossible for the President of the United States to do such things.

Mr. BORAH. Does not the Senator from Nebraska think that the people are perfectly capable of passing judgment upon the propriety of conduct of a candidate for the Presidency, whether he is in the White House or whether he is simply trying to get into the White House?

Mr. HITCHCOCK. That might possibly be so if the matter could be submitted simply to a vote of the American people, but we all know that great machinery has got to be placed in motion. We saw a President of the United States renominate himself. The Senator from Kansas and the Senator from Idaho both know that the President secured his nomination by the use of

presidential power, and that he might have been reelected had it not been for the unusual revolutionary course pursued in wrecking the Republican Party.

Mr. BORAH. I am sure the Senator from Nebraska thinks that, when the matter got to the people, the people took care of it pretty well.

Mr. HITCHCOCK. I think they took care of it admirably.

Mr. BORAH. Yes. Why not leave it to them at all times?

Mr. HITCHCOCK. But, nevertheless, the closing months of the term of the President of the United States were disgraced—and I am not criticizing the President for what he did; possibly he was forced into the action which he took by the attacks made upon him—but the fact was that the whole country was ashamed of the spectacle presented, and the whole country realized that the presidential power was being used. It is to prevent the use of such presidential power that this constitutional amendment is proposed.

Mr. BORAH and Mr. WORKS addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Kansas yield further to the Senator from Idaho?

Mr. BRISTOW. I do.

Mr. BORAH. I had the honor—I will not say the pleasure—of being in attendance on both the convention of four years ago and of the one held last summer; and I could not discover any perceptible difference between the effect of the influence which was exerted upon the convention in 1908 by the gentleman who was nominating his successor and that exerted in 1912 by the gentleman who was nominating himself. It might have been done in a different way, but the exertion bore the same fruit in each instance.

Mr. HITCHCOCK. I will not undertake to explain what difference there might have been. I do not know that there was any; but I think the President of the United States ought to be removed from political struggles.

Mr. BORAH. Mr. President, there is no possible way to remove the President of the United States from political struggles if he is a man at all fit to be in the presidential chair. If he is a man fit to be there, he will be a political leader and will direct the political forces of his party. If he is interested in anything in the world, except his own individual aggrandizement, he will undertake to direct the forces of his party whether he is retiring from the Presidency or whether he is coming into the Presidency. We have never had a great President who was not a political leader. We never will have a great President who is not a political leader in this Republic. He is the head of his party and will seek to lead his party, if not for his cause, then to the advantage of his successor.

Mr. HITCHCOCK. I will say to the Senator that the time will never come when the presidential office will be divorced from politics so long as the occupant of the office has, or thinks he has, the opportunity of reelecting himself; but I want to say to the Senator that when the American people adopt this proposed constitutional amendment, as I believe they will adopt it, it will do more to remove the great office of President from the disgraceful contentions for reelection than anything else that can be done.

Mr. BORAH. Mr. President, just a word. To my way of thinking there was never a more aggressive campaign from the White House than that which was waged by Mr. Jefferson for the selection of his successor or that which was waged by Gen. Jackson for the selection of his successor or that which was waged by Col. Roosevelt for the selection of his successor. They were party leaders; the party looked to them and reposed confidence in them; they molded public opinion; they believed in the principles of their party; they believed that it was necessary in order to serve the country that the principles of their party should prevail, and therefore they exerted their influence, as I say every true leader of his party will do, whether he is coming into office or going out of office.

Mr. HITCHCOCK. Ah, but the Senator realizes that there is a vast space of time between the days of Jefferson and the present day, and he knows that the methods employed and the weapons used in the days of President Jefferson were of far different character from the weapons used and the methods employed in the present day.

Mr. BORAH. Mr. President, there is not a very long——

Mr. WILLIAMS. Mr. President, if the Senator from Nebraska will permit an interruption——

The PRESIDENT pro tempore. The Chair will call the attention of Senators to the fact that only one Senator can talk at the same time.

Mr. WILLIAMS. I may not have heard all that the Senator from Idaho said, but if his reasoning was as defective as was his historical allusion it must have been very defective indeed. Mr. Jefferson exercised no part of his influence to nominate Mr. Madison. He exercised influence to keep his party in power, but he had two warm personal friends, Madison and Monroe, who were candidates for the nomination at the hands of the Democratic-Republican Party, and he declared that he would stand neutral between them.

Mr. BORAH, Mr. WORKS, and others addressed the Chair.

The PRESIDENT pro tempore. To whom does the Senator from Kansas yield? There are four Senators claiming the attention of the Chair, asking for recognition.

Mr. BRISTOW. I yield to the Senator from Idaho [Mr. BORAH], and then I should like to resume.

Mr. BORAH. I hesitate to differ on a question of political history with the Senator from Mississippi, but I am quite sure that I am not in error when I say that Mr. Jefferson exerted influence to select his successor. I am perfectly willing to let my statement stand and be supported by the historic facts, notwithstanding the view entertained by the Senator from Mississippi.

Mr. WILLIAMS. Mr. President, I have made no statement of historic facts. The Senator from Idaho made a statement of historic facts——

Mr. BORAH. I was aware the Senator from Mississippi had not made any, but he undertook to——

Mr. WILLIAMS. But the statement of historic facts made by the Senator from Idaho rests upon no evidence which he can produce now or during this year or during this decade; and if he can I for one shall be very glad to see it. It rests upon a great many federalistic statements as to what Jefferson did, but there is not a word or there is not a fact that can be attributed to him that shows that he ever raised his hand as between those two men. He did, however, want one or the other nominated.

Mr. BORAH. And the one he wanted nominated succeeded.

Mr. WILLIAMS. But privately he preferred Mr. Madison, and said so in a letter to Jack Eppes, his son-in-law.

Mr. BORAH. The Senator from Mississippi will proceed in a few moments to support my contention. He has already said that which is precisely true, that while Mr. Jefferson let it be understood that he would not exert any effort as between the two men, he never hesitated to let his private friends know what he desired to have, and he got it.

Mr. WILLIAMS. Of course I am not trying to answer the Senator's argument. I am merely trying to keep history straight.

Mr. BORAH. The Senator from Mississippi is too shrewd an observer and student not to know the historical facts to which I have referred. Mr. Jefferson quietly but effectively and persistently let his friends know his preference for Madison.

Mr. WORKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from California?

Mr. BRISTOW. I do.

Mr. WORKS. It is said everything comes to him who waits——

Mr. BRISTOW. I hope that my time will come bye and bye. [Laughter.]

Mr. WORKS. The Senator from Nebraska [Mr. HITCHCOCK] has said that the people admirably took care of the situation resulting from the kind of campaign he has discussed. I am afraid he thinks so because the people elected a Democratic President; but I should like to ask him whether he thinks the subsequent action of the people wiped out the disgrace to this country resulting from the kind of campaign that took place before the nominations?

Mr. HITCHCOCK. I certainly entirely agree with the Senator from California on that point. I merely felt compelled to answer as I did the categorical question of the Senator from Idaho [Mr. BORAH].

While I am on my feet, I should like to ask the Senator from Idaho this question: Has there not been a vast change in the methods which were used in a dignified way by Thomas Jefferson to express his ideas and his convictions and to give his reasons for desiring a particular successor or a particular party to succeed, and the present-day methods of turning over the whole machinery of executive power to a campaign to control a convention? Can the Senator not see the tremendous change that has developed and the need for a remedy for this new evil?

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Idaho?

Mr. BRISTOW. I do.

Mr. BORAH. I am not criticizing the methods of Mr. Jefferson in selecting his successor. They were consummate and perfect for his day. He used all the influence necessary to

accomplish his purpose. I do not say that he used corrupt methods or means. Of course, I do not know that he did; and, if I did know it, I would conceal it for the sake of our Democratic friends, who are just now coming into power. [Laughter.]

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator——

The PRESIDENT pro tempore. Does the Senator from Kansas yield further?

Mr. BRISTOW. Yes.

Mr. HITCHCOCK. I should like to ask the Senator from Idaho, in all candor, if it is not very generally suspected at the present time, and if there is not strong circumstantial evidence to warrant the belief, that the motive which impelled Theodore Roosevelt to force a certain successor upon the convention at Chicago in 1908 was that he had ultimately in view the reappearance of Theodore Roosevelt as a candidate for President four years later? Is it not suspected and believed that the motive which the President had at that time, in 1908, was really one of self-interest?

Mr. BORAH. Mr. President, I am sure the Senator from Nebraska does not entertain that view. So I will say, in my opinion, that view is simply the fumes of a diseased mind.

Mr. HITCHCOCK. Mr. President, I am very glad to have the Senator from Idaho give me a clean bill of health [laughter], but I am not able to permit myself to admit that there is no ground for that belief. I have heard from certain sources that I think reliable that Theodore Roosevelt was immensely surprised when he learned that William H. Taft was to be a candidate for renomination.

Mr. BRISTOW. Mr. President, there have been one or two suggestions made during the last half hour of miscellaneous controversy that I should like to give a little attention to, and then I will finish the remarks that I was making.

The Senator from Nebraska [Mr. HITCHCOCK] referred to divorcing the Presidency from politics. I think the Senator, after reflection, will see how ridiculous a proposition of that kind is. The Presidency is a political position, the highest within the gift of the American people, and the business of the President is to administer the political affairs of his country as the Chief Executive. We hear a good deal of cheap talk—I do not refer, of course, to any talk in the Senate—about divorcing this and that from politics. There is no more honorable calling among men, if you will except the holy calling of the ministry, than the calling of the politician, if he understands the dignity and the responsibility that go with the administration of the political affairs of his country. It is true that there are cheap grafters who occasionally inject themselves into political affairs and fail to appreciate the high purpose which ought to animate men who are engaged in administering the politics of the country, and such men merit the condemnation of all; but it is as utterly impossible to divest the Presidency of the United States from politics as it would be to divest the ministry from religion. It is the business of the President of the United States to administer political affairs as the executive head of the Government, and he should administer them wisely and in the public interest.

Mr. CUMMINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Iowa?

Mr. BRISTOW. I do.

Mr. CUMMINS. I think the Senator from Kansas is absolutely accurate when he says that the Presidency is a political office and must always remain a political office, but I want him to recall his expression and see if he is willing to reaffirm the statement that it is the business of the President to administer the political affairs of the country. Is the Senator not willing to qualify that a little?

Mr. BRISTOW. Well, I may——

Mr. CUMMINS. Is there not a very great difference, in other words, between political offices? We are holding political offices here, but I hope the duties are quite different from those that are performed by the person who holds the political office of President of the United States.

Mr. BRISTOW. What I meant—I do not now remember whether I expressed myself with accuracy—was that the President exercised the political duties that were conferred upon the Chief Executive of the Nation. Those duties are political.

The Senator from California referred with some emotion to the disgraceful incidents which antedated the election last year, and the nomination as well. I can not conceive that it is the business of the American Congress to try to engraft common sense into men's minds by constitutional amendment. I do not care how many constitutional amendments you adopt, you can not make a man wise if he is not so by nature, nor can you prevent a man from disgracing his office if he is disposed to do it. I am not saying that any offices have been disgraced, for I do not agree with the Senator from California in his statement that political campaigns that may be in bad taste are disgraceful.

The only argument that is made in favor of this resolution is that it will prevent a President from becoming inefficient by endeavoring to please the people in order to renominate and reelect himself. If the effort of any man to please an intelligent constituency is against him and should disqualify him, then I am glad that I am not in harmony with that view, which is the view that seems to be expressed here in this debate by the advocates of this resolution.

I want to carry out a little further the view suggested by the Senator from Idaho in regard to the efforts made by a President to select his successor. I believe President Roosevelt was responsible for the nomination of Mr. Taft four years ago. He wanted Mr. Taft nominated because he believed Mr. Taft would carry out the policies of government to which Mr. Roosevelt's administration was devoted. With that purpose in view he used the powerful influence which he had with the American people in order to induce his party to nominate the man who he thought would prolong those policies four years longer. As the Senator from Idaho has said, any President who was worth his salt would undertake to do the same thing by all honorable means. If he believed that the policies of government for which his administration stood were wise and in the interest of his country, then he should undertake to influence in an honorable way the selection of a successor who would continue to carry out those policies.

This amendment will have no more influence than if it were not passed in preventing an administration from being active in politics to promulgate and promote its ideas. It simply changes the situation so that the President instead of undertaking to renominate himself—if you care to put it that way—will undertake to nominate his successor, as has been done by the great Presidents of the past, as the Senator from Idaho has very clearly and very accurately stated.

As to whether or not these efforts are disgraceful, unpatriotic, or unwise, depends upon the character of the man who is President. As I have said, you can not adopt constitutional amendments that will legislate or incorporate common sense into a man's head. And if a President does unwise or disgraceful things the people will pass a wise judgment upon his action.

Referring to the original interruption of the Senator from Mississippi [Mr. WILLIAMS], who criticized the position I took when I said that the resolution proposed to take from the people a power which they now have, and which they have had since the Constitution was adopted, and which they have exercised wisely, and concerning their exercise of which not a word of criticism has been heard, I desire to say that it must be conceded that a vote of the Senate upon a resolution submitting an amendment to the Constitution of the United States is equivalent to, and is, in fact, a recommendation from the Senate that that amendment be adopted by the people. If it were not, why should it require two-thirds of the membership of this body to submit the resolution? When the resolution goes before the people, it goes before the people with the sanction of two-thirds of the membership of this body, and no other construction can be put upon the action of the Senate.

So, I repeat, this is a proposition to take from the people authority which they have been exercising for approximately 130 years, which they have exercised with wisdom and discretion, from the exercise of which no harm has ever come to the country, and the lack of which authority would have been at times a calamity to this Government.

With that statement, which can not be successfully contradicted by any man upon this floor, I leave the question to the consideration of the Senate.

Mr. SUTHERLAND. Mr. President, before the Senator takes his seat I should like to ask a question for information. As I understand, the amendment proposed by him is to the effect that Congress may provide for a recall of the President at the end of a two-year period?

Mr. BRISTOW. Yes.

Mr. SUTHERLAND. Suppose Congress so provides, and the people act, and the President is recalled, what then becomes of the Government?

Mr. BRISTOW. If the Congress is authorized to recall the President, it is certainly authorized to provide for the Government, after he is recalled, by letting the people select his successor. I can modify the amendment so as to provide for that if it is deemed necessary.

Mr. SUTHERLAND. The Senator's proposed amendment certainly does not cover that point. The Senator's amendment simply provides that Congress may provide for a recall of the

President. Who shall then succeed to the presidential office, or how it shall be provided for, is left wholly in the air.

Mr. BRISTOW. I think it is left with Congress. I have not any doubt about it. Of course I am not a constitutional lawyer, but if I can construe the ordinary language that is used in the affairs of men, it seems to me that if Congress is given the authority to provide for the recall of the President, the recall in itself means that provision must be made for his successor.

Mr. SUTHERLAND. The provision to which this would be an amendment, if it were adopted, is that the term of office of the President shall be six years. If we add to that simply a provision that at the end of two years the President may be recalled, and say nothing more about it, it would seem to be self-evident that no provision exists by which the term could be filled for the remaining period.

Mr. BRISTOW. I ask the Secretary to read the amendment.

The PRESIDENT pro tempore. The amendment will be again read.

The Secretary read as follows:

The Congress shall have power to provide for the recall of the President by a popular vote at any biennial election.

Mr. BRISTOW. In my opinion that gives full power to Congress to provide for the recall of the President and the selection of a successor by a popular vote, if the people see fit to do it. If it does not, I shall be glad to listen to a suggestion from the very able constitutional lawyer who sits by my side, the Senator from Utah, as to an amendment that will cover that point.

I think the people ought to have the right when they pronounce judgment adversely upon an administration to put another one in control of the Government that will carry out their will; and that is the purpose of this amendment to the resolution. I do not think their hands ought to be tied for six years, so that an Executive who happens to get in and who may refuse to serve the public interests can stay there in defiance of the people. I can not understand how men can think that is a wise way to administer the affairs of a government the sovereign power of which is the popular will.

Mr. BRANDEGEE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Connecticut?

Mr. BRISTOW. Certainly.

Mr. BRANDEGEE. It occurred to me, Mr. President, that it would simplify the process, and accomplish the manifest purpose of the Senator, if he would make the term of the President two years instead of six. Then, of course, he could be reelected if the people approved his administration, and there would be no necessity for a recall.

Mr. BRISTOW. No; no; I do not agree with the Senator. I think there are many men who would be elected President that would serve the full six years under this resolution, if it should ever pass, without meriting rebuke from the hands of the American people at the end of the first two years of their terms of service. The experience of our country has demonstrated that wise men are not only retained in office, that their administrations are not only supported in the congressional elections following the inauguration of their administrations, but that they are reelected, after having served four years, with Congresses in harmony with their views.

Mr. BRANDEGEE. That is the very question, Mr. President, if the Senator will yield.

Mr. BRISTOW. Certainly.

Mr. BRANDEGEE. The Senator suggested, as one of the principal arguments in favor of the proposed amendment, the fact that at the end of two years of a presidential term the temper of the country might change, and it might elect a House of Representatives of political opinion different from that of the President, and therefore if the President could be recalled the Presidency could be placed in harmony with the House and with Congress. He instanced the present situation of Congress, which he described as being hostile to the tariff policy of the present President.

If the country should change its opinion as to the party in power and should elect a House of Representatives hostile to the President, on the Senator's own statement of the case and in conformity with his own argument would it not be wise to have the President elected each two years, just as Members of the House of Representatives are elected?

Mr. BRISTOW. No; I do not think so; and I want to take issue with the statement which the Senator from Connecticut made when he began. He said "if the temper of the country should change." I do not think the temper of the country changes quickly on public questions.

Mr. BRANDEGEE. I am inclined to differ from the Senator.

Mr. BRISTOW. If the President changes, if he does not carry out the policies for which he stood, and the people are disappointed in him because he has not done so, they ought to have the right then to recall him, because he has failed to carry out the will and purpose of the people who elected him. I do not think the temper of the country changed on the tariff between 1908 and 1910. I think the temper of the country in 1908 and in 1910 was exactly the same. It elected a Democratic Congress in 1910 not because it was in favor of any Democratic policy on the tariff, because that was a vague and uncertain proposition, but because it was the only way it had of expressing its disapproval of the administration bill, the Payne-Aldrich tariff bill. If there had been any other way of correcting that legislative mistake, in my judgment there would not have been a change such as we have now.

This amendment to the resolution seeks to make more responsive to public opinion our executive administration. The Senator from Massachusetts and I disagree on almost everything. I think this is the first time for many months that we have met on common ground on any political question. We do it in this case from entirely different points of view. He has called attention to the fact that the English Government is more responsive to the will of the people than is our Government, because there is greater authority in the Parliament of England than there is in the Congress of the United States. The administration of the laws of England rests with a ministry whose existence does not depend upon the will of a president or a king, but upon the will of the Parliament; and when public opinion makes itself felt with the Parliament, the ministry must be in harmony with the Parliament or go out of power.

Our Government is such that the executive administration of the laws may be out of harmony with the legislative branch of the Government, and it results in a blockade of legislation for two years. While the adoption of this amendment to the resolution probably would not be the most desirable way to correct this unfortunate condition that frequently confronts us, it certainly would be better than to perpetuate a blockade of this kind for four years instead of two, as it now is. This resolution enlarges the present obstruction.

Mr. POINDEXTER. Mr. President, it seems to me this resolution is a striking example of an effort to accomplish a certain definite and very well-understood purpose, in the serious matter of changing the Constitution of the United States, which will have an effect the opposite of that which is intended.

One of the objects of this resolution is to improve the administration of the office of President by removing the inducement offered by the ambition of the President to succeed himself—to occupy his time in securing a reelection—and thereby to induce him to devote himself to the performance of the duties and functions of his office.

Another purpose of the advocates of this resolution is, I suppose—to judge from the conversation and the speeches we heard in the recent campaign—to save the country from a Napolean or a Cæsar who might use the power and patronage of the administration to perpetuate himself indefinitely in office.

I think it is clearly demonstrable that, if this resolution should be adopted, it would have the opposite effect in both particulars. It was not once or twice but many times that this question was debated when the Constitution was framed and when the term of office of the President was fixed. The first and the only Federal constitutional convention which ever sat in this country devoted a great amount of time to the question whether or not the President should be ineligible for reelection.

It is perfectly true, as the Senator from Kansas has said, that while all the reasons still exist that existed then for retaining the President's eligibility for reelection, many of the objections have disappeared, and there are now a great many additional reasons which did not exist at that time in favor of preserving in the people the power, if they see fit, perhaps in some great emergency of the Government or of the country, to retain at the head of the executive branch of the Government, it may be, the only man who is available to deal with the problems of the hour.

One of the strong reasons that was urged in the Federal convention against the proposition to make the President ineligible for reelection was that it would remove the incentive to meet the approval of the people whom he was serving which would come from an honorable reelection to the office which he held. That argument had great weight with the convention in determining against the same proposition which is put forward here.

The term of six years for President is entirely too long for a bad man, and it is too short for a good man. The remedy for the abuse of the powers of the Presidency and for the misuse of patronage is certainly not by taking away from the people a portion of the power which they now have for the control of that office, but rather by increasing it.

The proposition involves the whole broad question of the relations of the people to the Government, to what extent the people are to be able to control the Government, and how much power the Federal Government shall have. This proposition is to limit the power of the Federal Government by limiting the term of the Chief Executive. The question of the control of private monopoly, of whether or not the Federal Government is to have sufficient power to deal with interstate monopoly, of the relations of State governments to the Federal Government, whether these questions are to be left to the States, or whether the Federal Government is to be supported and upheld in the efforts which the advocates of Federal control are making, are all involved in this proposition.

Mr. President, if the Government were an alien Government or in control of an alien power, the proposition on the part of the advocates of government by the people to limit its power would be perfectly logical. But the Government is not an alien government; it is not such a government as existed in England, when the models upon which this Government was framed were developed, where the source of government was derived from some place outside of the people, when the King repudiated the doctrine that he got his power from the people, when the barons had another power, and when there was constant political warfare between these separate and distinct estates. The people, represented by the Commons, the barons, and the King, each claimed prerogatives independent of the other.

I think it is generally conceded in this country that the powers of government find their origin in the people, that all just government depends upon the consent of the governed. We are confronted constantly with the problem whether the Government is to be more independent of the people, more removed from their control, less responsive, or whether, on the other hand, the people are to be given a wider and more direct control over its various departments.

I admit that so far as the use of the power of the Presidency, including the disposition of patronage and appointment to office is concerned, if our political system of party government and party organization and conventions were to continue as they have existed in the past, there is a very great opportunity for perpetuating the Presidency in the hands of the incumbent by the use of the power and patronage of the office.

But that is utterly impossible. It has been demonstrated by recent political history in this country under the system of primaries which is now finding favor, and which has been put in force in a large number of States, that where the people have the real power to select the President, the abuses of presidential power, the misuse of presidential patronage, are perfectly futile and worse than futile, in an effort to perpetuate the incumbent in office.

The last campaign for the nomination of the Republican candidate has been pointed out here and it has been justly stigmatized. In that campaign every opportunity of office was taken advantage of. Every use that could be made of patronage or presidential power was set in motion to secure the nomination. And yet, in every State in the Union where the people had an opportunity to take a real part in the nomination, that misuse and abuse of power and patronage was condemned and repudiated, and their choice given by an overwhelming verdict of public opinion to another man, who was a private citizen and had no opportunity to bring to bear appointments to office and presidential favors in order to get delegates in the convention. So, when the system of primary nominations prevails, whenever it shall be generally adopted in this country, by which the people will really have an opportunity to control the nominations for the Presidency, it will be utterly impossible for the nomination to be controlled by a President, however long he may be in his office; and when that becomes evident, as it must become evident, as is already demonstrated, the attempt of the incumbent to secure the nomination by such abuses which are sought to be avoided and prevented by this resolution will be voluntarily abandoned.

Mr. President, the question involved in this resolution of the degree of responsiveness of the Federal Government to the popular will and its power and responsibility when it has been chosen is a very live question before the American people today. There is being agitated throughout the country a proposition for calling a constitutional convention, and it is based upon the proposition that the conditions which have grown up largely in the last 20 years have far more, even, than the Civil War united the country into one Nation and have developed and emphasized the necessity of one central Government, with ample power to deal with abuses which reach from one border of the Nation to the other. I say that question is directly involved in this resolution as it affects the executive branch of the Government.

A few years ago the verdict of the American people was taken as to whether or not there should be an income tax. It was debated for years. The American people in a regular election voted in favor of an income tax. It was taken up in Congress, but the Congress which met after the election was not the one which had been chosen in the election. Under a hold-over system the legislative branch was not immediately responsible to the public will, and when in the course of a year the new Congress which had been chosen came into power and this question, which had been decided in the election, was presented to them the people were confronted by the obstacle of a large portion of the legislative branch holding over from previous elections. But finally, after a long course of agitation, the verdict of the people found response in an act of Congress, and it went before a third department of the Government and was argued by the attorneys for the people and the attorneys for the great private interests that were opposed to that measure.

There had been decisions of the Supreme Court of the United States, a number of them, five of them, that such a law was constitutional. The Supreme Court heard the argument. They voted upon it and were evenly divided. One judge was absent. A rehearing was had. The absent judge took his seat upon the bench, and, of course, if his decision should be in favor of the income tax it would be established by the verdict of the Supreme Court as constitutional. He did decide in favor of it, but one of the other judges had reversed his previous decision in the case, having changed his mind overnight, and the long campaign for a just system of taxation by which the greater part of the wealth of the country, intangible personal assets, which largely escape, in my judgment, the assessor, ended in nothing, because the Government was not responsive to public opinion. As has been said here, it is less responsive than the Government of England or any other government under a modern constitution in Europe.

Now, instead of meeting these difficulties by making the Government more responsive to the people and by increasing its power, it is proposed to limit it and at the same time to further restrict the control of the people over it.

I do not know, Mr. President, how the myth arose that Washington ever—in his farewell address or at any other time—gave the great weight of his almost infallible judgment in favor of the proposition that a President should not hold more than two terms, that the tenure of the office should be limited either by custom or by law. I have read his farewell address, and it seems to me if it means anything it means that Washington was seeking to excuse himself before the American people because of his desire to retire to the enjoyment of private life, and was asking their indulgence to relieve him from what might seem to them to be his duty to continue in office for a longer period than for two terms. I want to read, because it is very brief, what he says on this point. He says:

> I beg you at the same time to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that in withdrawing the tender of service, which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.
>
> The acceptance of and continuance hitherto in the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this previous to the last election had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations and the unanimous advice of persons entitled to my confidence impelled me to abandon the idea. I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety, and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

It was an argument that there was no crisis in the affairs of the country at that time which demanded his continuance in office. It was an implication that if there had been such a crisis it would not only have been proper for the American people, should they see fit to do so, to continue him in office as President for more than two terms, but that it would have been the duty of the incumbent if called upon by the people to serve in that capacity. There is not anything that can be deduced from this expression to indicate that Washington either intended to establish a two-term custom or that he favored the doctrine of ineligibility.

But there is more than that in an epitome of all that can be said against this proposition written by Washington upon the

identical subject, and if the Senate will indulge me for reading a portion of a page, I will do so. He says in a letter to Lafayette:

> There are other points in which opinions would be more likely to vary. As, for instance, on the ineligibility of the same person for President after he should have served a certain course of years. Guarded so effectually as the proposed Constitution is in respect to the prevention of bribery and undue influence in the choice of President, I confess I differ widely myself from Mr. Jefferson and you as to the expediency or necessity of rotation in that appointment. The matter was fairly discussed in the convention, and to my full conviction, though I can not have time or room to sum up the arguments in this letter. There can not, in my judgment, be the least danger that the President will by any practicable intrigue ever be able to continue himself one moment in office, much less to perpetuate himself in it, but in the last stage of corrupted morals and political depravity, and even then there is as much danger that any other species of domination would prevail. Though when a people shall have become incapable of governing themselves and fit for a master it is of little consequence from what quarter he comes. Under an extended view of this part of the subject, I can see no propriety in precluding ourselves from the services of any man who on some great emergency shall be deemed universally most capable of serving the public.

Now, if there is a danger of a man subverting the Constitution by the power of office, the very inclusion in the instrument of a prohibition against serving more than one term of six years will be the greatest incentive that can be offered to such a man.

Suppose a man of that caliber occupied the office who had met, perhaps, with the favor of the people, and was willing to use, as it was assumed in making this argument, an ambitious President would be willing to use the powers which come to him as President to subvert the spirit of the Government and its laws, and he should be confronted by a provision, a written attempt, a paper barrier, against perpetuating himself in office, there would be the greatest temptation that could be offered to him to violate the Constitution, to suspend this provision, to make some declaration by which to take advantage of his popularity with the people and his power as President, and ignore the amendment which is proposed here.

There are a great many free constitutions where there is not any freedom. There are a great many countries, small and large, where provisions of this kind are constantly violated. The hope of the country does not depend upon the Constitution as it is framed now, nor as it is to be amended, but it depends upon the capacity of the people to preserve peace and order and good government. The Constitution is no stronger than the political morals of the people who framed it and for whose government it was established. If you assume that a people can be corrupted by a President by the use of his office, so that he will be elected when he ought not to be, you have assumed that they are incapable of self-government and you have abandoned the whole case. You can not protect such a people by written constitutions. There can not be any form of free government which would be successful with such a people.

There are many things in our Constitution and in our extra-constitutional Government, a system of party government in the United States, which are practicable here, successful here, but which would be utterly impracticable in some other countries where the people are less educated, where they are less informed, where they possess less stability, less love of justice, less respect for the law.

I have heard a great many arguments made in the Senate against some of the proposed new agencies, which, after all, are nothing more than new ways of organizing political parties, and the Constitution does not deal with that at all. And yet they are opposed here as though they were undermining the very foundation of the Constitution. There is the primary, for instance. The primary nomination of candidates for office, the presidential preference primary, has nothing to do with the Constitution. It is a mere system of party government. I have heard many of the arguments made against those popular agencies which would be perfectly sound in the case of some constituencies, perhaps, in this country, and of the entire population of some other countries.

In considering whether or not the President shall hold office for six years and be ineligible for reelection, the whole question is as to whether or not the people are capable of determining that question for themselves, or whether you are going to attempt to put a guardian over them in the shape of a straight-jacket provision saying what they can not do in regard to electing a Chief Executive of the Nation.

If they were in their swaddling clothes such a provision would be necessary, but when they for a thousand years have exercised self-government and enjoyed freedom, when they have developed the greatest system of education, the most ample means for the transmission of information of any people in the world, it is an unusual time now, when we are in the midst of progress, when information and education are on the increase instead of on the wane, to introduce a proposition here to deprive them of some of their powers and pass a resolution which implies at least that we have suddenly awakened to the conclusion that the American people are politically decadent.

I imagine that every great private monopoly in the United States would hail with joy the passage of this joint resolution. I say "private monopoly" because the question of the regulation of those great private agencies underlies most of the political issues of to-day.

When a campaign to establish some principle of control or restraint of those who seek to use the power of wealth, the control of transportation, the undue advantage and special privilege of the tariff for the oppression of their weaker neighbors or the masses of the people—a power which must be restrained by the Government, because there is no other source from which the restraint can come—and it must be restrained by the Federal Government, because leaving it to the States is leaving it to be unrestrained. The States have not the requisite physical or political power, and many times they have not the disposition, when a campaign to put in the hands of the Federal Government means for this regulation and control is under way, and the question has been weighed before the people at the bar of public opinion—when they have rendered their judgment upon it in the election, and it has gone its course through all the checks and balances and divided powers of our system of government, and finally is having its effect in the hands of a vigorous and earnest administrator of the office of President—just as he is about to accomplish the results for which this long campaign has been waged he finds this amendment coming into play, should it be adopted, and saying that he must go out of power, and the hand of the man who has been found willing and able to meet the needs of the people upon this great question is palsied and their will rendered futile.

Every country furnishes examples, from which it is manifest that disaster would have fallen upon them if they had been governed in the great crises of their history by such a provision as this. Our own history is full of such instances. We have had times of stress, when the Nation's existence was at stake, when the conduct of a great war or the prosecution of a great policy depended upon a single individual who was the man fitted for the hour. Suppose that in the midst of his power, his official responsibility, his official opportunity, in the Civil War, for instance—because it may as well be as not that his six years' term would expire in the midst of a critical campaign, upon which the life of the Nation was at stake—this amendment should call him out of office, throwing the country into the throes of an election of a new and untried man. It is not logical; it is not common sense; it does not tend toward the freedom or liberty of the people or to enlarge in any way the safety or the service which the Government renders to them.

There is not a successful private organization in the world which would adopt such a policy, and one phase of the Government is but that of a great business organization. Every great private business concern has achieved its success to a large extent by the selection of competent men to do its work and by keeping them in their position and by promoting them to the highest positions so long as they remain faithful and competent.

The fathers of the Constitution were wise enough to fix a short term of office for the President, and to leave him eligible for reelection, because it gives the people an opportunity every four years to determine whether or not he is competent to administer the duties of that office. It is impossible for him to abuse the power of the office to any great extent within that short period, with the new agencies of nomination I have referred to, and yet it leaves with the people the privilege of continuing him there indefinitely, or at least past the danger period of some critical passage of the Nation, if they see fit to do so.

An occasion that everybody will bear in mind was when the Empire of Great Britain first extended itself in that mighty sweep around the world and established its flag and its laws from its island home to the end of the seven seas—when the Earl of Chatham was at the head of the English Government, when Clive was selected by him to lead the armies of England in India, when he sent Wolfe to face Montcalm in Canada, when he was waging a mighty struggle against the armies of France on the frontier of Germany—when the question was whether England should blossom and bloom and prosper and flourish as the greatest empire of modern times or whether it should sink into obscurity and insignificance as a defeated rival of its European neighbors. Suppose in that crisis in the history of Great Britain some foolish, some absolutely illogical provision of the constitution had decreed that the great Lord Chatham should give up the helm of state and step down and a

new and untried and incompetent man should take his place. The same condition might well arise here—it will arise here if this amendment is adopted, the effects of which will come back to plague and curse the people for whose benefit it is supposed to be framed.

During the delivery of Mr. POINDEXTER's speech,

Mr. GALLINGER. Mr. President, will the Senator from Washington yield to me for a moment?

Mr. POINDEXTER. I yield to the Senator from New Hampshire.

Mr. GALLINGER. I offer a proposed substitute for the joint resolution, that it may be pending.

Mr. POINDEXTER. I am very glad to yield for that purpose.

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). The Secretary will read the proposed substitute.

The Secretary read as follows:

The executive power shall be vested in a President of the United States of America. The term of the office of the President shall be four years. No person who has held the office by election, or discharged its powers or duties, or acted as President under the Constitution and laws made in pursuance thereof, shall be eligible to hold the office by election more than one additional term.

Mr. GALLINGER. I thank the Senator from Washington.

Mr. POINDEXTER. The Senator is entirely welcome.

Mr. HITCHCOCK. Will the Senator from Washington yield to me to offer an amendment, that it may be printed?

Mr. POINDEXTER. I yield to the Senator from Nebraska for that purpose.

Mr. HITCHCOCK. My amendment contemplates striking out the reference to the officer who may hold or exercise the power. I should like to have it read, so as to get it into the RECORD.

The PRESIDING OFFICER. The Senator from Nebraska proposes an amendment, which will be read.

The SECRETARY. On page 2, line 7, in the committee amendment, after the word "election," strike out down to and including the word "thereof," in line 9, so as to read:

The executive power shall be vested in a President of the United States of America. The term of the office of President shall be six years, and no person who has held the office by election shall be eligible to hold again the office by election.

After the conclusion of Mr. POINDEXTER's speech,

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Kansas [Mr. BRISTOW] to the amendment of the committee.

Mr. BRISTOW. I should like the yeas and nays on that, Mr. President.

The yeas and nays were ordered.

Mr. OWEN. Mr. President, before the vote is taken I wish to say that I want to give my adherence to the proposal submitted by the Senator from Kansas [Mr. BRISTOW]. I believe that the people of the United States ought to have the right, if they find the President of the United States is not in accord with matured public opinion, to name his successor and to do so without waiting for six years or four years if after two years they find he is not in accord with public sentiment.

The President of the United States, in my judgment, is not to be regarded as an individual. He is controlled by his environment; he is controlled by advisers; and he is controlled by influences that are brought to bear upon him in a great variety of ways. If he be of a temperament which yields to the blandishments of interests which are opposed to the interests of the American people, and that be made manifest from his conduct, I am of opinion that the people should have the right to put a masterful hand on him, take him from his seat of power, and place in his stead some man who will represent the interests, the aspirations, and the hopes of the people of this country. For that reason I am in favor of the proposed amendment of the Senator from Kansas to the committee amendment.

The PRESIDING OFFICER. The Secretary will state for the information of the Senate the amendment to the amendment proposed by the Senator from Kansas.

The SECRETARY. It is proposed to insert as a separate paragraph, after line 10, on page 2, the following:

The Congress shall have power to provide for the recall of the President by a popular vote at any biennial election.

The Secretary proceeded to call the roll.

Mr. LIPPITT (when his name was called). I again announce my general pair with the senior Senator from Tennessee [Mr. LEA] and refrain from voting.

Mr. OWEN (when his name was called). I transfer my pair with the senior Senator from Kansas [Mr. CURTIS] to my colleague [Mr. GORE] and vote. I vote "yea."

Mr. OLIVER (when the name of Mr. PENROSE was called). My colleague [Mr. PENROSE] is out of the city to-day. If he were present on this roll call he would vote "nay." He is paired with the Senator from Mississippi [Mr. WILLIAMS].

Mr. RICHARDSON (when his name was called). I again announce my pair with the junior Senator from South Carolina [Mr. SMITH]. He is absent, and I therefore withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my pair, which is with the senior Senator from Pennsylvania [Mr. PENROSE], to the senior Senator from Virginia [Mr. MARTIN] and will vote. I vote "nay."

The roll call was concluded.

Mr. BOURNE. I desire to announce that I am paired with the senior Senator from Alabama [Mr. BANKHEAD]. Hence I withhold my vote.

Mr. DILLINGHAM. I desire to announce that on all the votes to be taken to-day, I have transferred my pair with the senior Senator from South Carolina [Mr. TILLMAN] to the Senator from New Mexico [Mr. FALL]. On this question I shall vote. I vote "nay."

Mr. CHILTON. I announce the pair of my colleague [Mr. WATSON] with the senior Senator from New Jersey [Mr. BRIGGS].

The result was announced—yeas 10, nays 58, as follows:

YEAS—10.

Ashurst	Dixon	Owen	Thomas
Bristow	Gronna	Perky	
Clapp	Martine, N. J.	Poindexter	

NAYS—58.

Borah	Dillingham	La Follette	Shively
Bradley	du Pont	Lodge	Simmons
Brandegee	Fletcher	McCumber	Smith, Ga.
Brown	Gallinger	McLean	Smith, Md.
Bryan	Gamble	Myers	Smoot
Burnham	Guggenheim	Nelson	Stephenson
Burton	Heiskell	O'Gorman	Sutherland
Catron	Hitchcock	Oliver	Swanson
Chamberlain	Jackson	Overman	Thornton
Chilton	Johnson, Me.	Page	Townsend
Clark, Wyo.	Johnston, Ala.	Paynter	Wetmore
Clarke, Ark.	Johnston, Tex.	Percy	Williams
Culberson	Jones	Perkins	Works
Cullom	Kenyon	Pomerene	
Cummins	Kern	Root	

NOT VOTING—27.

Bacon	Fall	Massey	Smith, Mich.
Bankhead	Foster	Newlands	Smith, S. C.
Bourne	Gardner	Penrose	Stone
Briggs	Gore	Reed	Tillman
Crane	Lea	Richardson	Warren
Crawford	Lippitt	Sanders	Watson
Curtis	Martin, Va.	Smith, Ariz.	

So Mr. BRISTOW's amendment to the amendment of the committee was rejected.

Mr. WILLIAMS. Mr. President, I now call up the amendment which I presented this morning.

The PRESIDING OFFICER. The Senator from Mississippi proposes an amendment, which the Secretary will state.

The SECRETARY. In lieu of the matter proposed to be inserted by the committee, it is proposed to insert the following:

The executive power shall be vested in a President of the United States of America. The term of the office of President shall be four years. He shall be reeligible for one additional term of four years and not thereafter reeligible at any time. No person who shall hereafter hold the office or discharge its powers or duties or act as President by succession for any fraction of a term under the Constitution and laws made in accordance thereof shall be reeligible beyond such a fraction of a term and for one term by election.

The President, together with a Vice President chosen for the same term, shall be elected as follows.

Mr. CLARKE of Arkansas. Mr. President, I make the point of order that that substitute can not be considered at this time, as there are certain other amendments pending to the committee amendment. The friends of the committee amendment have a right to perfect it before any proposition that goes to the life of it is entertained.

Mr. WILLIAMS. In reply to that, I would say that I think that position hardly well taken. Here is an amendment to the joint resolution; it does not go to the life of it; it merely goes to the terms of it; it substitutes a term of eight years, with an opportunity for recall by reelection in the middle of that term, for a term of six years. I do not see that it goes to the life of the proposition, and the amendments which may be made would be useless only in the event that they were not pertinent to the main proposition.

Mr. CLARKE of Arkansas. Mr. President, the proposition is clearly a substitute for the pending amendment of the Committee on the Judiciary. The gist of the substitute of the Senator from Mississippi is to preserve the old idea of two terms of four years each, adding a disqualification to hold beyond that period, whereas the proposition of the committee is to substitute for the provision now in the Constitution an entirely new provision of one term of six years. The two propositions obviously do not cover the same ground, and before we are compelled to vote on the amendment allowing two terms of four years each, with ineligibility to reelection to a third term, we

ought to have the right to perfect the original proposition, so that in its final form it may be intelligently compared with the amendment with which it must contend for its life.

The PRESIDING OFFICER. The amendment reported by the committee is in the nature of a proposition to strike out certain parts of the joint resolution and to insert in lieu thereof new matter proposed by the committee. The Chair is of the opinion that the proposition of the Senator from Mississippi [Mr. WILLIAMS] to substitute the language proposed by him for that proposed by the committee would be in order at this time, there being no other amendment pending. If it were a substitute for the whole proposition the Chair would hold that the joint resolution as reported by the committee must be first perfected before the substitute could be offered.

Mr. CLARKE of Arkansas. Mr. President, just one word before the matter is finally disposed of. It is not only a substitute for the main proposition contained in the original joint resolution, but it will be a substitute for the committee amendment of an entirely different nature, and will supersede it, because the two are not susceptible of being reconciled. It is nothing more nor less in its last analysis than a motion to substitute for the committee amendment the proposition submitted by the Senator from Mississippi. Obviously we ought to have a right to perfect the committee amendment before a motion to strike it out—because that is what it amounts to—is entertained. Individual amendments can not be considered until committee amendments have been disposed of. That is another one of our rules that would be applicable just there.

Mr. DIXON. Mr. President, did I understand the Chair to say there was no other amendment now pending?

The PRESIDING OFFICER. There are several amendments which have been sent to the desk to be read, and in some instances to be printed, but none has been formally offered.

Mr. DIXON. Mr. President, early this morning, in order to save President Elect Wilson from being put in the uncomfortable attitude of being the only President of the United States who would be specifically restricted to one four-year term, I submitted an amendment, which was read and is pending, especially eliminating Woodrow Wilson from the operation of the proposed constitutional amendment. I did not think our Democratic friends would want to put the President elect in the position standing by himself as the only man who would be so restricted. Notwithstanding the Senator from New Jersey this morning, speaking, I presume, with authority, said that Mr. Wilson never would be a candidate again, I did not think the United States Senate wanted especially to single him out for this unenviable position. That amendment was read, and I am sure is pending.

The PRESIDING OFFICER. The Chair will state, for the information of the Senate, that the Senator from Montana sent the proposed amendment to the desk, but at the time there was another amendment pending. Of course, no amendment can be offered while another amendment is pending; and so the Chair did not consider the amendment of the Senator from Montana as pending.

Mr. MARTINE of New Jersey. Mr. President, I do not desire to be quoted as giving utterance to the words the Senator from Montana has just credited to me, that the President elect had declared that he would never again become a candidate. I did not say just that. I said that he has declared on a number of occasions in favor of one term. I further stated that it was the policy of our party, as declared in the Baltimore convention, to favor one term, and President Elect Wilson has declared, and redeclared, his adherence to the platform of the Baltimore convention. Further than that, I had no thought of committing him.

Mr. WILLIAMS. Mr. President, have I not been recognized?

The PRESIDING OFFICER. Does the Senator from New Jersey yield; and if so, to whom?

Mr. MARTINE of New Jersey. Have I the floor?

The PRESIDING OFFICER. The Senator from New Jersey has the floor.

Mr. MARTINE of New Jersey. I yield, then, to the Senator from Mississippi. I am only too glad to yield to him.

The PRESIDING OFFICER. Does the Senator from New Jersey yield the floor?

Mr. MARTINE of New Jersey. Certainly, I do.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. The Senator from Iowa.

Mr. CUMMINS. Mr. President, just a word with regard to the point suggested by the Senator from Arkansas [Mr. CLARKE]. Possibly the Chair, in his ruling upon that, overlooked the fact that the Judiciary Committee itself proposed an amendment by way of a substitute for the original joint resolution. While it is probably not so denominated in the printed matter before the Senate, yet it is, in substance, a substitute. I think, under those circumstances, that if there is any proposition to perfect the substitute so offered by the committee, there should be an opportunity given for amendments of that character before an amendment for the entire substitute is considered.

The PRESIDING OFFICER. Senate joint resolution No. 78 does not purport to be a substitute for the original joint resolution as introduced. A part of the resolution is left in existence.

Mr. CUMMINS. That is true, but it is the mere formal part. The effective part of the joint resolution is in the report from the Committee on the Judiciary. It is an amendment, but it would be effective in and of itself if it were adopted, while the other is merely formal and preliminary. I think, under those circumstances, the substitute offered by the Senate committee should be perfected before a different proposition is considered for the one reported by the committee.

The PRESIDING OFFICER. In the opinion of the Chair, the proposition of the Senator from Mississippi is an attempt to perfect the joint resolution in a different way from that proposed by the committee and, technically at least, is not a substitute for the entire resolution. Therefore the Chair has ruled that is in order at this time.

Mr. WILLIAMS. Mr. President, I did not expect to have to take up this matter this evening, and I shall not be able to do the subject entire justice. I wish to say, in the first place, that there are two reasons, in my opinion, why the proposition which I offer is preferable to the amendment proffered by the committee. The first one is that a term of six years is too long if there be no opportunity for the recall of a bad officer during that time. The second is a tactical reason, and I would address myself on this subject to the friends of the proposed constitutional amendment itself.

If you go before the people with the idea of preventing a longer tenure in the Executive Office than eight years, and giving in the middle of that term a reelection, which, in the case of a bad officer acts as a recall and in the case of a good officer acts as an encouragement, you present to the people an idea with which they are already acquainted; you merely write into the Constitution what has sometimes been called "the unwritten law of the American presidential succession."

They will not be called upon to debate a new thing. It is practice as much as words which makes institutions, and that has been the practice of the American Republic. I think the tactical reason is a weighty one for those who really do desire to put an end to the real evil.

Mr. President, what is the real evil? It is that under our Constitution there is an indefinite tenure of the Executive Office; that there is a possibility of self-succession for life in the Executive Office. That is the real evil. The question as to just what the term should be, whether four, six, or eight years, is a minor question. So that when you come to fixing a presidential term and presenting the proposition to the people it is of the highest importance to present it in such a way as that it shall become a part of the Constitution and give the proposition every possible advantage arising from an existing state of public opinion.

The Senator from Washington [Mr. POINDEXTER] seems to think that we are depriving the people of some right or privilege. We are doing nothing of the kind. We are proposing to the people an amendment upon which they shall sit in judgment, to be adopted by them or to be rejected by them, under the machinery of the Constitution, as they may see fit. It is the wildest sort of talk to try to put it in any other way.

One Senator said to-day that the time might come when some great matter or, as he said, the life of the Nation might depend upon the continued service of one man. Mr. President, it may be that I have not read history carefully, but I do not know of any period in the world's history where anything worth while has depended altogether upon one man or when any great service for civilization or the world, at the head of the doing of which stood a great man, could not have been carried through with somebody else at the head of it.

What I propose is to reenforce the unwritten law of the Republic. Back of that stands the example of George Washington. Few of us realize how beneficial that example was. He did not put his reasons for it in words. He was a man whose benefits to his country consisted chiefly in acts and not much in words. But had this Republic elected George Washington for one more term, and had he died during that term—and, as a matter of fact, if he had died at the time he did die, he would have died during the term—we would have started there the precedent of a man being elected to the presidential office for life. It would have been quoted as a precedent for election for life.

The next President remained in office only one term. Had that President had a term of eight years instead of four, in my opinion, this Republic in that early day, before it had been taught to march firmly, would have gone to pieces. The alien and sedition laws had aroused such a feeling of rebellion among the people that already the Virginia and Kentucky resolutions contained veiled allusions to a dissolution of the Union—threats and menaces. The longer we remain united the more dangerous it is to attempt disunion. But at that very early day nobody at all doubted the right of a State to secede.

I have mentioned these two things because they illustrate the beauties of our working practice at both ends—first, that a man can be encouraged during a first term by reelection to a second without danger of perpetuity in office; and, secondly, that a bad policy, a dangerous policy, can be gotten rid of at the end of a short period without resort to revolution.

Jefferson gave his reasons for imitating the example of Washington, and gave them in that style which was so lucid, so clear, and so forceful that the American people have appreciated it from that time on.

Washington's example, at a time when our institutions were yet in the wet mold and not dry set, and unstable in many particulars, had not had the effect which later on, after Jefferson's statement of reasons, it had. The legislatures of eight States—and at that time they had no nominating conventions, and the legislatures nominated candidates—one after another had nominated Mr. Jefferson for a third term. Even the senior Senator from Massachusetts [Mr. LODGE], in his History of the United States, says there is no doubt about the fact that Mr. Jefferson could have been easily reelected. Amongst these eight States not one southern or southwestern State, where Jefferson was peculiarly strong, had yet spoken. Then Mr. Jefferson stopped the movement and gave the reasons, which I shall read:

> My opinion originally was that the President of the United States should have been elected for seven years and forever ineligible afterwards. I have since become sensible that seven years is too long to be irremovable and that there should be a peaceable way of withdrawing a man in midway who is doing wrong. The service for eight years, with a power to remove at the end of the first four, comes nearer to my principle as corrected by experience, and it is in adherence to that that I determine to withdraw at the end of my second term. The danger is that the indulgence and attachments of the people will keep a man in the chair after he becomes a dotard and that reelection through life shall become habitual and election for life follow that. Gen. Washington set the example of voluntary retirement after eight years. I shall follow it. And a few more precedents will oppose the obstacle of habit to anyone who after a while shall endeavor to extend his term. Perhaps it may beget a disposition to establish it by an amendment to the Constitution.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Kansas?

Mr. WILLIAMS. Yes.

Mr. BRISTOW. I simply want to ask the Senator if that is not practically the same principle that was presented in the amendment which I offered, except that Mr. Jefferson would provide for a recall at the end of a four-year term instead of a two-year term?

Mr. WILLIAMS. Substantially it amounts to the same thing, except that this fixes a definite period for election; and the recall, if it takes place, takes place as a result of an election, the time of which is prescribed. It is different in this, of course, that under the operation of the Senator's amendment the term would be six years, and the recall might occur at the end of each two years of the term. My chief objection to that was that it would have gradually set up a condition of things where we would be electing a President every two years, or at least voting upon the election of a President every two years.

Mr. BRISTOW. Mr. President, I am sorry to interrupt the Senator again; but I admit that would be the case unless the President satisfied public opinion and at the end of the first congressional term a Congress in harmony with his views were elected. Otherwise, of course, there would be another election.

Mr. WILLIAMS. I do not want to argue the Senator's amendment now; but, if I remember correctly, it provided that the people should have the power to recall at each general Federal election. That would be every two years. There would always be enough men wanting to recall the President to vote against him, and then the people who did not want to recall him would have to go and vote for him, and thus you would have a presidential campaign every two years. You could not help it to save your life under the operation of such a provision as that in the Senator's amendment.

These further words of Jefferson ought to be remembered by everybody in connection with the presidential tenure:

> If some period be not fixed, either by the Constitution or by practice, the office will, though nominally elective, become for life and then hereditary.

In what I previously read he expressed the hope that habit would make the example set by Washington the practice always of the American people; and here he tells the danger.

Gentlemen say that we are timid; that we are frightened at shadows, and all that; and then they rise in all the august majesty of a narrow nationalism and say: "We are the American people. We do not need any restrictions of majorities; we need not restrict ourselves."

Mr. President, our whole system of government is a government of restrictions placed by the people upon themselves—the Federal Government, the State government, and everything else. The American people have been peculiarly wise in this, that hitherto they have been wise enough to distrust themselves, and therefore have deliberately and purposely, in the fundamental and organic voice of the people—the Constitution of the United States and the constitutions of the various States—put restrictions upon themselves.

In the smallest matters those restrictions exist. A community frequently can not incur a debt amounting to over 50 per cent of the assessed value of its taxable property. Why not say, "The people are capable of ruling. Their wisdom is absolutely infallible. Let them incur all the debts they want to incur; it is their affair. Why restrict them at all?"

If there were an outside force restricting them, the argument would be good. But it is not good when the people restrict themselves, as they do and ought to do, not only in little matters like this but in large matters. Our forefathers in Great Britain restricted the government by the Bill of Rights, and we restrict all government in this country by the first 10 amendments to the Constitution, which constitute our Bill of Rights. Everything is a restriction upon the people, operating through their representatives, as well as upon the representatives operating against the people.

I am not one of those who believe that tyranny is a particle sweeter because it is the tyranny of a majority. I believe, with old Roger Williams, that there are two classes of things in this world—the things of the first table and the things of the second table. The things of the first table are those things which are between God and the individual man, and government has no right to touch them. If 99,999,999 of the people out of 100,000,000 wanted to do anything in connection with them and one man stood up in his right and said "No," then that one man's voice should restrain all the rest. Amongst these things are freedom of religion and various other things that will occur to your own minds. Ninety-nine per cent of the American people, I suppose, are nominally Christians. One per cent of the American people are Jews. The people have voluntarily put upon themselves restrictions with reference to that matter. They have never established the Christian religion as the religion of their country. They had the power to do it. They had the power to refuse to restrict themselves from doing it. But they decreed that for all time there should never be among us an establishment of religion. They were wise enough to know that men always, everywhere, have weaknesses. If you flatter yourself that the American people are not like the Grecian people and not like the Roman people and not like the French people, and do not share the common human nature, that is a little chauvinistic vanity that may be welcome to you and make you feel better, but there is not a particle of truth in it.

The Senator from Massachusetts said this morning that there was no danger of Cæsarism in America. The whole history of the world shows that free institutions everywhere in the world have been overturned by whom? An unpopular man was never dangerous to free institutions anywhere. They have been overturned by popular heroes, concerning whom the people thought what the Senator from Washington this morning thought—that there might occur times when one man was absolutely indispensable. One man is never absolutely indispensable, either to the people or to God or to civilization or to culture or to anything else largely worth while in this world.

Mr. LODGE rose.

Mr. WILLIAMS. I yield to the Senator from Massachusetts.

Mr. LODGE. I merely wanted to say that I did not say quite what the Senator quotes me as saying.

Mr. WILLIAMS. I misunderstood the Senator, then.

Mr. LODGE. I said that there was no danger of Cæsarism while the character of the American people was what it is; but the defense against Cæsarism rested in the character of the people, and not in constitutional barriers.

Mr. WILLIAMS. The character of the American people is like the character of every other people that ever existed. We are not any wiser, we are not physically any stronger, we are not morally any better, than any other people that I know of of the white race.

Mr. POINDEXTER. Mr. President——

Mr. WILLIAMS. Wait one moment. Thus far we have had just this advantage: We are bolder, more enterprising, more inventive, and more venturesome, for the reason that the ancestors from whose loins we came were the most venturesome and daring of the people amongst whom they lived. They therefore left the old associations of a lifetime to come into a wilderness and make their way with rifle and ax.

I think therefore that particular characteristic has come down to us. It will be bred out after a while, but to a large extent it still exists. It has made us the greatest inventive and adventuring people of the world. It makes us the great captains of industry. We are a people who peculiarly dare take chances, and individually as well as nationally and as communities. But otherwise you need not flatter yourselves that the dangers which in all history have threatened other people, and have threatened them through majorities, will never threaten us.

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Washington?

Mr. WILLIAMS. Yes.

Mr. POINDEXTER. The Senator, after having made a very broad statement, qualified it after I had risen to put a question to him concerning it, by excluding the colored races of the world in his statement. The statement was so broad that it struck me as absolutely in conflict with the observation of everyone. That was the reason I rose.

Mr. WILLIAMS. What was that?

Mr. POINDEXTER. Why, that the people of the United States were no different in the matter of government or capacity to govern themselves than any other people in the world.

Mr. WILLIAMS. I did not say that.

Mr. POINDEXTER. I think the Senator did.

Mr. WILLIAMS. I did not say anything about the capacity for governing themselves. That comes from experience, and of course we have had in that regard greater experience. But I do not know that we have any larger capacity to govern ourselves than our neighbors across the line in Canada. I do not think we have. I do not know that we have any larger capacity to govern ourselves than the people of the same English-speaking race in Australia and New Zealand. I doubt if we have shown any larger capacity to govern ourselves than the people left back in Great Britain, whence we came.

Mr. LODGE. How about the people across the other line to the south?

Mr. WILLIAMS. Oh, we have a larger capacity to govern ourselves than people who never had any experience in governing themselves. I am coming to that pretty soon, because it has something to do with this very identical question. I will tell you one reason why those people have never had any capacity to govern themselves, and that is that they did not have sense enough to take the advice of the words of Thomas Jefferson, and after one term and two terms and three terms and four terms, if a man was popular, they kept him in office, until after a while the elections became a mere form and the man who went in stayed in; staying in, he did all the governing. That is one reason. But, of course, the greater reason back of it all is that they are not purely a white race; and so far I do not know of any race except the white race that has developed capacity for self-government, or perhaps one might prefer to say have had the experience which develops it.

Mr. POINDEXTER. The Senator from Mississippi has qualified the former statement which he made, and now admits, as I understand, that there are some races of the world that, by reason of their color, are not qualified——

Mr. WILLIAMS. Put it "by reason of their experience."

Mr. POINDEXTER. And others by reason of a lack of experience, and others by reason of not having sense enough, and others by reason of not ever having had any self-government. That includes the greater portion of the world.

Mr. WILLIAMS. The Senator from Washington is making a wide divergence. I had said nothing about the American people not being better fitted than most people for self-government. I was talking about the character of the people being substantially the same. I had not referred to the question of self-government at all until the Senator interrupted me. But to return to our sheep. The passions, the prides, the prejudices, the loves, and the hates that make people do things dangerous to their own liberty exist in America just as well as they do anywhere else, and just as much as they ever existed anywhere else; perhaps owing to the brave and somewhat reckless character of our people in an emphasized degree.

They say we start at shadows. It does not seem so to those who have just actually witnessed an attempt by a very bold, brave, able, and popular man to be elected President for a third term according to his definition of a third term, and who have witnessed the fact that during that campaign he never answered the question as to whether he would run at the end of a third term for a fourth, or at the end of the fourth for a fifth, or at the end of a fifth for a sixth term. And notwithstanding that danger he received the second largest popular vote of the candidates who were running.

People who laugh at Jefferson's "suspicions," and all that, have only generally to wait long enough and their posterity begins to laugh at them.

When the Constitution was first published Jefferson said, in a letter which he wrote from France: "Your Presidency seems to be a poor edition of a Polish king"—that is, an elective monarchy.

The Senator from Montana [Mr. DIXON] this morning asked, "Why single out the President, of all the elective officers, to circumscribe his term?"

The answer is self-evident. It is because the President has more power, while in office, than any monarch in all Europe, except the Czar of Russia. There is no sort of analogy between the principles that should govern the tenure of office of legislators like Senators and a man holding this gigantic power of the American Executive. Power is never dangerous except where power is great. No one Senator has any great power. No one Representative has any. No one governor has, and so it goes.

If Washington had not set his example, and if Jefferson had not followed it and given the reasons for it, which he did in his splendid way, it might have been the case that America would have furnished to the world a second example and a "poor edition of a Polish king."

Our South and Central American friends down here have furnished us with several of them. Rome furnished us with it. The consuls were elected by the people, and there was a restriction that they were eligible only for two terms. Marius was elected for the third and the fourth and the fifth and the sixth terms, and came back to Italy at the head of the legions; and Sylla did the same thing; and the whole old Roman institution went to pieces. Why, to the very latest day of the so-called Roman Republic—and they never themselves called it an empire—the emperors were "elected by the people." That was the theory—by the people of the city of Rome.

If it had not been for the example set by Washington and followed by Jefferson, and the reasons given for it, undoubtedly Washington would have been elected for life; undoubtedly Jefferson would have been elected indefinitely, if not for life, because his party elected Madison and Monroe and John Quincy Adams. Though Adams's administration was not Democratic-Republican, he was elected as a Democratic-Republican and as the candidate of that party.

Mr. DIXON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Montana?

Mr. WILLIAMS. That party continued, then, to elect men, so that some Senator was mistaken this morning in saying that 16 years was the longest period for which one party had been in power.

Now I yield to the Senator from Montana.

Mr. DIXON. I am surprised at the statement of the Senator from Mississippi as to the reelection of Jefferson or any other man. The truth was that at the close of Jefferson's administration he was so very unpopular with his party that he practically held no communication with Congress. He was practically isolated at the White House during the last of his term.

Mr. WILLIAMS. I do not want to be deflected from the argument, but I ought to answer that wild variance from history in justice to history. No man, except George Washington, ever left the presidential office so popular with his party as Thomas Jefferson. Thomas Jefferson not only was President for eight years, but he was—what Mr. Roosevelt hoped to be and did not succeed in being—at one and the same time President and ex-President for 16 years afterwards. Neither Madison nor Monroe ever undertook to do any important thing without communicating with Jefferson at Monticello. About the Monroe doctrine itself, about the Spanish treaty, about everything, he was communicated with. As I said a moment ago, eight States in their legislatures begged him to become a candidate for a third term. Of the Southern States not one had spoken, because their legislatures were not in session at that time. And even a historian of the rather Federalistic leaning of my friend, the Senator from Massachusetts [Mr.

LODGE], records that there is no doubt about the fact that he easily could have been reelected.

Mr. DIXON. I wish to refresh the memory of the Senator from Mississippi, with all due respect to his great historical knowledge, by the statement that his conception of Jefferson's political situation at the close of his second term is absolutely the reverse of the facts in the case at that time.

He was in the very trough of the sea of his popularity with his party and the people.

Mr. WILLIAMS. That has nothing to do with my argument. The Senator can not refresh my knowledge of history by a mere ipse dixit statement of his own. I will say that that is my opinion, then, of what history records, and the Senator may keep to his. There is this difference between us: The utterances of the legislatures of the time, the mass meetings of the time, the newspapers throughout the South and the West at the time, the resolutions passed after his retirement by the various legislatures all over the country—very many things are on the side which I hold and not on that which the Senator holds.

Mr. DIXON. The Senator will find upon fuller investigation that the situation was so acute that I think Jefferson sent no communications to Congress during its last session of his term in the White House.

Mr. WILLIAMS. No; that is very true as to his sending few communications after Madison's election, but it was because he had a very curious theory that after his successor was elected his successor really was the President, and that he ought not to attempt to control public affairs, but should leave them as far as possible to Mr. Madison. Mr. Madison was his warm friend, his Secretary of State, belonged to his own party, and he knew all about him.

Mr. DIXON. The Senator from Mississippi, I feel certain, is in the heat of his argument interpolating many things which never existed into the political history of the United States in Jefferson's administration.

Mr. WILLIAMS. I am not interpolating a thing. If the Senator will take the trouble to read a little, he will find that in several letters Mr. Jefferson himself gave that reason for his conduct; so that I am interpolating nothing.

I was going on to say that Washington could undoubtedly have been reelected as long as he pleased; from what we know Jefferson could have been reelected as long as he pleased; Andrew Jackson could have been reelected as long as he pleased; Grant could have been reelected as long as he pleased; McKinley certainly could have been reelected once more, but for this example which Washington had set and the reasons for it given by Mr. Jefferson. Of course when I say Jackson and Grant could have been reelected, the chances are that but for the example of the one great man and the precept of the other, somebody else would have been holding the office for life and neither Jackson nor Grant could have had any chance to be elected for the first time. How long it would have taken reelections to have become mere matters of form is of course a matter of speculation, but that in the course of time they would have become mere matters of form is a matter of certainty.

An indefinitely self-successive Executive, easily turned into a dictatorship, has been, as I said a moment ago, the rock upon which the so-called South American "Republics" have split, and the good sense of the American people in taking the advice of their great men and in restricting themselves has been that which has saved our institutions from a like death of the spirit. The mention of that is the greatest tribute that can be paid to the American people. Thus far they have been the only great people who have been willing to bind themselves, as it were, in swaddling clothes with written constitutions, and then abide by the written constitutions after they had done it. They were the first people in modern times who ever undertook it.

The written constitutional idea itself was the idea that the majority of the people ought to exclude from the power of majorities certain things with which majorities ought to have nothing under the sun to do.

So all this talk about our restricting the people is—I will not say demagogic; I do not mean that exactly, but it is factitious. It is fictitious for two reasons; first, because if there is any restriction at all the people will place it upon themselves; and, secondly, because our whole Government rests upon the idea of restricting the power of majorities by an organic law.

I have something else to read. The words in which Jefferson closed his public declination are wise, I think, and patriotic. I want to call your attention to them. When these legislatures had urged him to run for the third term and when he had refused, he finally made this public announcement:

That I should lay down my charge at a proper period is as much a duty as to have borne it faithfully. If some termination to the services of the Chief Magistrate be not fixed by the Constitution, or supplied by practice, his office, nominally for years, will, in fact, become for life; and history shows how easily that degenerates into an inheritance. Believing—

Mark this, those of you who believe in popular government—

Believing that a representative government, responsible at short periods of election, is that which produces the greatest sum of happiness to mankind, I feel it a duty to do no act which shall essentially impair that principle; and I should unwillingly be the person—

Unwillingly be the person—

who, disregarding the sound precedent set by an illustrious predecessor, should furnish the first example of prolongation beyond the second term of office.

Something was said here this morning about our not being bound by the acts of previous generations. Grown men now and then act like boys in a debating society when they get to arguing the question as to how far we are bound by precedents. Of course we are not bound to accept the opinions of our forefathers because they were their opinions, but we are not bound to throw them off because they thought them wise, either; and the fact that they thought them wise, other things being equal, is one reason, at any rate, why we should think them wise. The fact that what they thought was wise they adopted, and that under the institutions which they made for their government in the constitutions of the Federal Government and the States and by their practice under those constitutions, we have grown opulent and great and have remained free, recommends the things to me which they indorsed. Of course it does not recommend them to the point of saying that I must accept them solely because they accepted them.

Now, one word further. There has grown into existence lately a class of public men I would call "platformists." They seem to think that a platform is a Constitution of the United States or Holy Writ that has just been handed to them and which they must obey under all circumstances. As a general principle, a party platform ought to be carried through by the party adherents; and it is a principle as invariable as saying that when I give my word to do something I ought to try essentially and in spirit to do it. But my resolution here does not differ at all essentially from what is advocated in the Democratic platform.

The Democratic platform says that there should be "one term." It may be replied that under my resolution and the time-honored practice there are two terms of four years each. But that is a mere matter of verbiage. You can call the tenure under my resolution what Mr. Jefferson called it, if you choose, a presidential tenure of eight years, with the opportunity of recall by the people in the middle of the tenure. So, even for the strict constructionist, platformist, this is just as much one term of eight years as it is two terms of four years.

What the Democratic Party was striking at was the essential evil, and the essential evil is indefinite self-succession of the Executive, or, rather, the opportunity for indefinite self-succession in the Executive Office in a way such that elections may gradually become mere matters of form and degenerate into tenures for life, and after that, perhaps, into tenures by heredity.

I can not sufficiently emphasize the idea, which I repeat once more before I sit down, that those of us who are seeking to put some definite term to the presidential tenure will find we can obtain our purpose much more readily and certainly if we offer to the people a proposition containing an idea with which they are historically acquainted instead of offering them a new idea—if we simply say to them that we will write in words into the Constitution what Washington, Jefferson, Jackson, and McKinley thought by practice to write into it. Thus far the people have said "Washington would not, Jefferson would not, Grant could not, Roosevelt could not, and nobody else shall;" but it does not follow, necessarily, that they will always say it.

It is only, mind you, the brave, able, and popular man who is dangerous to free institutions. The Senator from Washington says that if we throw up a paper barrier in the way of those men we tempt them to upset the Constitution. No; we deprive them of the opportunity to do it, except by plain, palpable, and obvious revolution. Our institutions would not be upset by the mere fact of any man holding office for a third term.

Mr. POINDEXTER. Mr. President——

Mr. WILLIAMS. One word further. I say they would not be upset by any man holding for a third term. They would be upset gradually, insidiously sapped—undermined—and if the man were permitted to remain in office long enough to organize his forces of various sorts—the forces that control national destiny—then, at the end of an uncertain period, the people would wake up some day and find that thing had been done without any notice that it was going to be done, and in a way such that historians would differ about fixing the exact period when the old institutions had been set aside and the new sub-

stituted—the exact moment at which the sapping and undermining had become effective. Do you imagine that the people of Rome knew that they had overturned the old Roman government even when Cæsar came back from Gaul? They did not have the slightest idea of it. Do you imagine that they knew that they would overturn the old Roman republic when they elected Marius for the sixth term as consul? They had not the slightest idea of it.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Washington?

Mr. WILLIAMS. I do.

Mr. POINDEXTER. The Senator says that the ambitious man will gradually undermine the Constitution and overturn it, and in another part of his address he said that the most dangerous man was the most popular man.

Mr. WILLIAMS. I said the only dangerous man to free institutions was a popular man. An unpopular man has never done them hurt.

Mr. POINDEXTER. Let me ask the Senator if, given that combination which he has described, an ambitious man and a popular man, and in some critical juncture of the Nation's affairs, in some really important issue before the people, believed that he was the man to carry out their wishes in that regard, does the Senator think that this paper resolution which you are passing here now would have any practical effect?

Mr. WILLIAMS. Yes; I know it would. I did not say as the Senator said. Precisely what I said was stronger than what he quoted me as saying. I said the only dangerous men to free institutions were popular men. They must be first bold; then they must be popular; and then they must be ambitious, unscrupulously ambitious. If you give them the three things and then give them "a crisis," they would prevail. The French people had no idea that they had overset the French Republic when they elected Napoleon Bonaparte as First Consul. They thought what the Senator from Washington [Mr. POINDEXTER] had in his mind a moment ago, that Napoleon was the only man who could save the French people. The French republican armies under Moreau and under Hoche had been winning victories on the Rhine and everywhere else even before Napoleon's achievements. He was the greatest general of them all, I have no doubt, but in him the French people put a man in to save the Republic who destroyed the Republic.

When they elected the third Napoleon, there being at that time popularity in name only, as President of the French Republic, they had no idea they were destroying the Republic. They did have an idea that nothing but Napoleonism could restore France to her "glory" and her greatness, and her "destiny," and all that sort of thing.

Cæsar and Napoleon the Great are good illustrations of abnormally great, bold, popular, ambitious men, each meeting with a crisis, where the fact of his ability and popularity and alleged "necessity to the State" could be urged as a reason for submitting to a coup d'état.

You are going to have crises in your history, and you are going to have men of that sort. Even if it were admitted that a paper barrier, as you call it, could not always be relied upon to prevent men of that ilk from doing their will, yet it will be some obstruction and do some good, and in ordinary times it will be absolutely effectual.

Now, if you have something that in ordinary times is absolutely effectual, then the example for the dangerously great and bold and ambitious will not be given by men less able and less ambitious and less bold, so that when the crisis comes the people can not be told nor made to believe that they are doing what they did before, and therefore, again, are the less easily deceived as to what is the real significance of what they are doing.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Idaho?

Mr. WILLIAMS. I do.

Mr. BORAH. I do not see how the example of Napoleon is exactly in point. If I remember correctly he was elected for only one term, and he was limited by the Constitution or the laws of France to one term. In any event the question of reelection never came into his affair. In order to make Napoleon's usurpation relevant we would need to provide against any election.

Mr. WILLIAMS. I do not remember whether the Constitution and laws of France at that time limited the consulate to one term or not.

Mr. BORAH. It was limited to 10 years.

Mr. WILLIAMS. I do not remember about that. Of course he was elected to but one term when he was first elected, and he could have been elected to but one term.

Mr. BORAH. He was elected for but one term.

Mr. WILLIAMS. Nor did that matter make any difference. It was a very long term, and he never served out that one term as consul, according to my recollection. He perpetrated the coup d'état during that term.

Mr. BORAH. Within the six years which we would have incorporated in our Constitution he perpetrated it.

Mr. WILLIAMS. If you strike a case where a man comes into the Presidency in command of a million trained troops, yes; but the Senator must admit that does not present itself very often in the history of the world.

Mr. BORAH. Nor do we have the Napoleonic illustration very often.

Mr. WILLIAMS. If you allow a man to go into the office and be reelected indefinitely—take a man of no great ability; take myself or the Senator—if we wanted to do it; if you gave us 12, 15, or 20 years in the presidential office, no power on earth or under heaven could turn us out if we wanted to stay in.

Mr. BORAH. But the Senator from Mississippi and I would have a hard time staying there that long.

Mr. WILLIAMS. Oh, yes; but there would be a possibility of it in any case unless we adopt some amendment, or unless we enforce the old practice. Thus far the American people have prevented the possibility of it by adhering to what they call their unwritten law. By the way, there are unwritten laws; this is an instance; the Monroe doctrine is another. They are almost as sacredly binding upon a people as their written law. But I am through with the discussion, Mr. President. I express the hope that the amendment may be adopted.

Mr. McCUMBER obtained the floor.

The PRESIDING OFFICER. Will the Senator from North Dakota yield to the Chair for a minute? The Chair desires to call the attention of the Senator from Mississippi to the amendment he has proposed. The resolution, as reported from the committee with the committee amendment, is as follows:

Omit the part struck through and insert the part printed in italic.

That is the committee amendment. The Senator from Mississippi has proposed in lieu of the amendment reported by the committee to insert the following.

Mr. WILLIAMS. I said strike out all after the resolving clause and insert.

The PRESIDING OFFICER. If the Senator will allow the Chair, on his own draft he will see the Chair stated it correctly.

Mr. WILLIAMS. Then it must have been wrong in my draft.

Mr. CLARKE of Arkansas. Mr. President, if you are going to open the ruling upon my point of order and reverse your action, you have opened up another discussion of it here and I will withdraw it.

The PRESIDING OFFICER. The Chair assumes that the Senator from Mississippi would like to have it corrected.

Mr. WILLIAMS. The Chair is right. Let it be in lieu of the amendment proposed by the committee.

The PRESIDING OFFICER. The Senator from Mississippi sees that as the language is at present, if his amendment prevails, it would leave in the resolution the language proposed to be stricken out by the committee amendment, and that would make an inconsistent resolution entirely.

Mr. WILLIAMS. I see the point.

Mr. CLARKE of Arkansas. That was very earnestly presented, but the Chair did not catch the statement I made. That was the foundation on which I proceeded. I undertook to make myself clear. The Chair persists in reversing it. I do not care to open it up for discussion. So I will withdraw it and let us vote.

The PRESIDING OFFICER. For that very reason the Chair held it was in order, because it was not a substitute.

Mr. CLARKE of Arkansas. I did not catch the Chair's reason, because it did not strike me that there was any reason to catch.

The PRESIDING OFFICER. The reason is this——

Mr. CLARKE of Arkansas. The Chair had thought all those things, but I could not keep up with the train of thought by which he reached those conclusions.

Mr. McCUMBER. Mr. President, is it desired that the amendment be first perfected, or may I be permitted to present an amendment at this time?

The PRESIDING OFFICER. There is pending the amendment of the Senator from Mississippi [Mr. WILLIAMS], which he has had returned to him in order that he may modify it.

Mr. McCUMBER. Mr. President, I presume that the amendment of the Senator from Mississippi is intended to be a substitute for the portion of the committee amendment, on page 2, between lines 5 and 10, inclusive. If that is true, then I wish

to offer a substitute for his amendment; if it is not the case, I wish to offer an amendment in lieu of that portion of the committee amendment.

The PRESIDING OFFICER. The Chair will state that the Senator from Mississippi has offered his amendment and it is now pending. It is an amendment to an amendment, and therefore further amendments can not be offered until the amendment of the Senator from Mississippi to the amendment of the committee shall have been disposed of.

Mr. McCUMBER. Then, Mr. President, I send to the desk an amendment in the nature of a substitute for that portion on page 2 of the committee amendment between lines 4 and 10, inclusive, and ask that the amendment to the amendment may be read and printed.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment proposed by the Senator from North Dakota.

The SECRETARY. In lieu of the amendment reported by the committee, on page 2, lines 4 to 10, inclusive, it is proposed to insert the following:

The executive power shall be vested in a President of the United States of America. The term of office of President shall be for four years; and no person shall be eligible for more than two terms, and no person who has served as President by succession, under the Constitution and laws made in pursuance thereof, for the major fraction of one term, shall be eligible to hold more than one full term thereafter.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

Mr. OWEN. I offer an amendment which I shall propose to-morrow to the joint resolution, and I ask that it be read and printed.

The PRESIDING OFFICER. The Secretary will state the proposed amendment.

The SECRETARY. On page 2, line 12, after the word "be," it is proposed to strike out "elected as follows" and insert:

Nominated and elected by the direct vote of the legal voters of the States. The vote of each State shall be certified by the governor of the State to the President of the United States Senate and, estimated upon the basis that the vote of each State shall be equal to the whole number of Senators and Representatives to which such State may be entitled in the Congress, shall be counted and declared as by law provided. Congress shall immediately provide by law the method and means for the direct nominations herein provided.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

Mr. WILLIAMS. I wish to modify my amendment—perhaps unanimous consent is necessary to enable me to do so—by inserting the following instead of the original caption:

In lieu of so much of the committee amendment as is contained in lines 4, 5, 6, 7, 8, 9, and 10, on page 2, insert the following.

The PRESIDING OFFICER. Without objection, the Senator may modify his proposed amendment as indicated. The Chair hears no objection. The Secretary will state the amendment of the Senator from Mississippi as modified.

The Secretary read as follows:

In lieu of so much of the committee amendment as is contained in lines 4, 5, 6, 7, 8, 9, and 10, on page 2, as amended, insert the following:

"The Executive power shall be vested in a President of the United States of America. The term of the office of President shall be four years. He shall be reeligible for one additional term of four years, and not thereafter reeligible at any time. No person who shall hereafter hold the office or discharge its powers or duties, or act as President by succession for any fraction of a term under the Constitution and laws made in pursuance thereof shall be reeligible beyond such a fraction of a term and for one term by election.

"The President, together with a Vice President chosen for the same term, shall be elected as follows."

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

Mr. WILLIAMS. Mr. President, if I can get the consent of the Senate—I suppose it would require unanimous consent—I think this matter is of such importance that I would rather not have the vote taken now, with the present attendance in the Senate. If I can get the consent of the Senate, I will ask that the vote on the amendment be taken at the conclusion of the vote upon the committee amendment, when there will be a fuller attendance.

Mr. GALLINGER. Mr. President, to that end the Senator had better withdraw his amendment for the present and hold it in abeyance. I think the Senator will be acting wisely to put the matter in that form.

Mr. WILLIAMS. Very well, I will withdraw it for the present; and I give notice that after the Senate committee amendment has been disposed of I will offer it.

Mr. BORAH. I desire to ask the Senator in charge of the joint resolution if it is his purpose to close the matter before a recess is taken?

Mr. CUMMINS. I suppose that I am in a sense in charge of the joint resolution. I do not intend to ask for a vote to-night unless the Senate should so require; I do not think to do so would be entirely fair. A great many Senators, as I know, have been compelled already to leave the Chamber, and I should not like to see a vote taken upon any important amendment to-night.

Mr. GALLINGER. If the Senator will permit me, manifestly a vote can not be had to-night, and I think the Senator will act wisely if he does not undertake to press the matter. There will probably be a good deal of debate yet.

Mr. ROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from New York?

Mr. BORAH. I yield to the Senator from New York.

Mr. ROOT. I have endeavored to perfect the amendment of which I gave notice a few moments ago, and I will ask that it be read and printed in its present form.

The PRESIDING OFFICER. Without objection, the Secretary will read the proposed amendment.

The Secretary read as follows:

On page 2, lines 8 and 9, strike out the words "under the Constitution and laws made in pursuance thereof" and insert in lieu thereof the words "after the 4th day of March, 1917," so that the joint resolution will read as follows:

"The executive power shall be vested in a President of the United States of America. The term of the office of President shall be six years; and no person who has held the office by election, or discharged its powers or duties, or acted as President after the 4th day of March, 1917, shall be eligible to again hold the office by election.

"The President, together with a Vice President, chosen for the same term, shall be elected as follows."

The PRESIDING OFFICER. The proposed amendment will be printed and lie on the table.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho desire to retain the floor?

Mr. BORAH. I was simply going to ask at what time the Senator from Iowa is going to move a recess?

Mr. CUMMINS. I intend just now to ascertain, if I can, the sense of the Senate with regard to fixing an hour to-morrow to vote upon the amendments that have been or may be offered, and upon the joint resolution itself. I have no desire whatever to press the matter to a determination until we shall have finished the debate; but I do know that we ought to reach an end of it in a reasonable time, so that we may proceed to other business. In order to test it, therefore, and without any thought of bringing the debate to a hasty conclusion, I ask unanimous consent that a vote upon the joint resolution and all amendments offered, or to be offered, may be taken at 5 o'clock to-morrow afternoon without further debate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Iowa?

Mr. BORAH. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from Idaho will state his point of order.

Mr. BORAH. I should like to know, once for all, if I can, whether or not that would be a violation of the unanimous-consent agreement which we have entered into?

The PRESIDING OFFICER. The unanimous-consent agreement was to vote upon "the legislative day," which may run to any calendar day. Of course, this is not a point of order——

Mr. BORAH. When we change that and fix a certain hour, is not that a modification of the unanimous-consent agreement?

Mr. ROOT. Not if the hour is fixed not later than 5 o'clock.

Mr. CUMMINS. I intended to be understood as asking that the hour be fixed at not later than 5 o'clock. I do not want to make the request if it is in the slightest degree an infringement of the unanimous-consent agreement, nor do I press it against the desire of any Senator. I will not even compel him to make a formal objection. If he will indicate to me that it is not agreeable to him, I will not make the request.

The PRESIDING OFFICER. In the opinion of the Chair, it would not violate the unanimous-consent agreement, but that is not a question on which the Chair can rule.

Mr. BRISTOW. Mr. President, I think it would be a violation of the unanimous-consent agreement. When unanimous consent was requested, I think the Senator will remember that I myself suggested that it be made "the legislative day." I had in mind the fact that there would then be no limitation of the debate on the amendments that might be offered. I was called out of the Chamber for a few moments, and this request for unanimous consent might have been granted, and that would have changed the whole purpose of the original unanimous-consent agreement if I had not accidentally come in, unless there had been some other Senator to object. While I do not want this matter to run on to any unusual time, I do not want the debate curtailed.

Mr. SUTHERLAND. Mr. President, if the Senator will permit me——

Mr. CUMMINS. Yes.

Mr. SUTHERLAND. The Senate has repeatedly done this very thing. I call the attention of the Senate to the fact that

when we were considering the so-called compensation bill I made the identical request which the Senator from Iowa now makes. It was doubted at that time whether or not that would be a violation of the unanimous-consent agreement, and I produced at that time several precedents. It is not a violation, as it seems to me, because we have now agreed that we will dispose of the joint resolution during the legislative day, and fixing the time at 5 o'clock to-morrow simply amounts to a definition of what the legislative day shall consist; in other words, it fixes an end to the legislative day to-morrow at 5 o'clock.

Mr. CUMMINS. Well, Mr. President, as I said a moment ago, I do not intend to press the request against the known desire of any Senator at this time, and inasmuch as the Senator from Kansas [Mr. BRISTOW] has indicated that it would not be wise, according to his view, I withdraw the request for fixing the hour to vote.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Nebraska?

Mr. CUMMINS. I do.

Mr. HITCHCOCK. I desire to present an amendment. I ask to have it read, printed, and lie on the table.

The PRESIDING OFFICER. Does the Senator from Iowa yield for that purpose.

Mr. CUMMINS. Certainly, I yield. I intend now to do nothing further, I may say, than presently to move a recess of the Senate, and I hope that any Senator who has an amendment will present it now, so that it may be printed and be on the desks of Senators to-morrow.

Mr. HITCHCOCK. I present an amendment, which I ask may be read, printed, and lie on the table. I shall offer it as a substitute for the paragraph reported by the committee.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. As a substitute for the lines 4 to 10, inclusive, on page 2, it is proposed to insert:

The executive power shall be vested in a President of the United States of America. The term of the office of President shall be six years and no persons elected for six years after the adoption of this amendment shall be eligible again to hold the office by election.

The PRESIDING OFFICER. Without objection, the amendment will be printed and lie on the table.

Mr. CUMMINS. I move that the Senate take a recess until 11.45 o'clock to-morrow morning.

DEPARTMENT OF HEALTH.

Mr. OWEN. Mr. President, before that motion is put——

The PRESIDING OFFICER. Does the Senator from Iowa withhold his motion?

Mr. CUMMINS. I withhold it.

Mr. OWEN. I wish to give notice that on Monday next, after the morning hour, I shall move that the Senate proceed to the consideration of Senate bill No. 1, to establish a department of health, and for other purposes.

RECESS.

Mr. CUMMINS. I renew my motion that the Senate take a recess until 11.45 o'clock a. m. to-morrow.

The motion was agreed to; and (at 5 o'clock and 35 minutes p. m.) the Senate took a recess until to-morrow, Friday, January 31, 1913, at 11.45 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 30, 1913.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, O God, our heavenly Father, that back of the vast universe of which we are a part, back of our joys and sorrows, our hopes and disappointments; back of all the issues of life is infinite wisdom, power, and goodness. Yet may we not forget that Thou hast dignified Thy children with the gift of choice, and holdest them responsible for their acts; that the seeds we sow to-day will be the harvest of the morrow or some subsequent morrow.

Help us, therefore, to sow good seed that our harvest may be the fruits of joy. In Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

CAPITAL PUNISHMENT BY ELECTROCUTION—RETURN OF BILL BY THE PRESIDENT.

The SPEAKER. The Chair lays before the House a concurrent resolution of the Senate, which the Clerk will report.

The Clerk read as follows:

Senate concurrent resolution 39.

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return the bill (S. 7162) to amend section 801 of the Code of Law for the District of Columbia.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

CLAIMS OF GOVERNMENT EMPLOYEES FOR INJURIES.

Mr. POU. Mr. Speaker, I call up the conference report on the bill (H. R. 24121) for payment of claims for Government employees for injuries.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

An act (H. R. 24121) to pay certain employees of the Government for injuries received while in the discharge of their duties, and other claims.

Mr. POU. I ask unanimous consent, Mr. Speaker, that the statement be read instead of the conference report.

The SPEAKER. The gentleman from North Carolina [Mr. POU] asks unanimous consent that the statement be read in lieu of the conference report. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the statement.

The conference report is as follows:

CONFERENCE REPORT (NO. 1380).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24121) to pay certain employees of the Government for injuries received while in the discharge of their duties, and other claims, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 8, 9, 10, 11, 12, 13, 14, and 15, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "$22,231.38"; and the House agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the language stricken out insert the following: "To pay $1,500 to Oscar F. Lackey, for injuries received while in the employ of the Isthmian Canal Commission as assistant engineer in construction of the Panama Canal on November 21, 1905"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "two thousand"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "seven hundred and fifty"; and the Senate agree to the same.

EDWD. W. POU,
JOHN A. MAGUIRE,
WM. H. HEALD,
Managers on the part of the House.
COE I. CRAWFORD,
W. L. JONES,
Managers on the part of the Senate.

The Clerk read the statement as follows:

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24121) to pay certain employees of the Government for injuries received while in the discharge of their duty, and other claims, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate No. 1, and agree to the same with an amendment as follows: In lieu of the language used in Senate amendment insert the following: "$22,231.38." The bill, as passed the House on May 31, carried an appropriation for $61,555.74. This bill passed the Senate July 24, with amendments, reducing the amount to $20,981.38. The conferees agreed

to increase this appropriation to $22,231.38, thereby providing for all the items in the bill as agreed upon.

That the House recede from its disagreement to the amendment of the Senate No. 2. This amendment upon the part of the Senate was striking out a period and inserting in lieu thereof a semicolon.

That the House recede from its disagreement to the amendment of the Senate No. 3. This amendment by the Senate was striking out that part of the title of said bill, viz, "And to pay certain other claims arising under the various departments of the United States Government as hereinafter stated."

That the House recede from its disagreement to the amendment of the Senate No. 4. The bill, as passed by the House, carried an appropriation "to pay $1,500 to Alice M. Burrows, widow of Leslie Burrows, late rural mail carrier on route No. 2, Coal Run, Ohio, who lost his life in the discharge of his duty." The Senate reduced this amount to $1,000, which said amount is hereby agreed to.

That the House recede from its disagreement to the amendment of the Senate No. 5, and that the Senate recede from its amendment by inserting in lieu of the language stricken out the following: "To pay $1,500 to Oscar F. Lackey for injuries received while in the employ of the Isthmian Canal Commission as assistant engineer in construction of the Panama Canal on November 21, 1905."

That the House recede from its disagreement to the amendment of the Senate No. 6, and that the Senate recede from its amendment by inserting in lieu of the language stricken out, the following: "To pay $2,000 to Pedro Sanches, as compensation for the loss of both hands, which were blown off by a premature explosion of dynamite in Culebra Cut, Canal Zone, on March 16, 1908."

That the House recede from its disagreement to the amendment of the Senate No. 7, and that the Senate recede from its amendment by inserting in lieu of the language stricken out, the following: "To pay $750 to Benjamin Demorest, for personal injuries sustained while employed on the United States lighthouse tender Oleander on the Mississippi River;" and that the House recede from its disagreement to the amendment of the Senate No. 8, striking out the following words: "And the loss of a leg."

That the House recede from its disagreement to the Senate amendments Nos. 9, 10, 11, 12, 13, 14, and 15. These were items stricken from the bill by the Senate, which provided for the payment of certain claims arising under the various departments of the United States Government other than personal injuries.

And the House agree to the same.

EDWD. W. POU,
JOHN A. MAGUIRE,
WM. H. HEALD,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

PENSIONS.

The SPEAKER. The Chair lays before the House Senate bill 7160, granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors. The Clerk will report the title of the bill.

The title of the bill was read.

Mr. RUSSELL. Mr. Speaker, I move that the House further insist upon the House amendments and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Missouri [Mr. RUSSELL] moves that the House insist upon the House amendments and agree to the conference asked by the Senate. The question is on agreeing to that motion.

The motion was agreed to; and the Speaker announced as the conferees on the part of the House Mr. RUSSELL, Mr. ADAIR, and Mr. FULLER.

The SPEAKER. The Chair lays before the House another Senate bill with House amendments—S. 8034. The Clerk will report the bill by title.

The Clerk read the title of the bill, as follows:

S. 8034. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. RUSSELL. Mr. Speaker, I move to insist upon the House amendments and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Missouri moves that the House insist upon the House amendments and agree to the conference asked for by the Senate.

The motion was agreed to; and the Speaker announced as the conferees on the part of the House Mr. RUSSELL, Mr. ADAIR, and Mr. FULLER.

IMMIGRATION.

Mr. BURNETT. Mr. Speaker, I desire to call up the conference report on the bill (S. 3175) entitled "An act to regulate the immigration of aliens to and the residence of aliens in the United States."

The SPEAKER. The Clerk will report it.

Mr. GOLDFOGLE. Mr. Speaker, before the report is read I should like to ask the gentleman from Alabama [Mr. BURNETT], in view of a statement that was made to me this morning, whether there has been any change made in this conference report now before us from the report that was last submitted?

Mr. BURNETT. I will state what changes were made, if the gentleman will permit. In the report submitted last, on the 23d of January, in the definition of aliens, it says:

That the word "alien" wherever used in this act shall include any person not a native-born or naturalized citizen of the United States, or who has not declared his intention of becoming a citizen of the United States in accordance with law.

That last clause has been stricken out by the conferees and has been inserted on page 2, exempting from the payment of head tax those who have filed their declaration of intention.

The only other change is at the bottom of page 2 of this report, where the law excluded those who have committed crimes. We strike that out and insert the old law, which is:

Persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude.

Those are the only changes.

The SPEAKER. Of course this discussion is by unanimous consent.

Mr. GOLDFOGLE. It has been stated to me this morning that a change has been made in that provision which exempts certain members of a family from the operation of the literacy test; in other words, that some members of a family under 21 can not come in, although illiterate daughters under 21 may come in, which, of course, will result in separating members of families in many cases.

Mr. BURNETT. There never was anything in any of the reports that exempted sons under 21 and over 16. Those under 16 can come in, because they do not fall within the purview of the law. There is nothing at all in that.

Mr. GOLDFOGLE. So that if a boy is 16½ years of age and illiterate he can not come in, while his sister, either under or over 16 years of age, can come in, and thus separation of the family will be effected, though both brother and sister are under 21 years of age.

Mr. BURNETT. There has been no change at all. That has been the way all the time. If the gentleman had read the previous reports, he would have seen that there is no change since the former conferences or since the bill passed the House, so far as that is concerned.

Mr. GOLDFOGLE. I will ask the gentleman from Alabama whether under the conference report as now presented there would not be this separation of families effected? Take the case of a boy sixteen and a quarter years of age, illiterate, and his sister, say, 15 or 17 years of age, the sister could come in with her parents or join them, while the boy would be kept out, and if he came over would be deported?

Mr. BURNETT. It does not matter how old the daughter is; if she is single or a widow, she can come in with the parents.

Mr. GOLDFOGLE. I am speaking of a son or brother as young as sixteen and a quarter or sixteen and a half years of age.

Mr. BURNETT. That is the fact. If he is over 16 years of age, this separation may take place. There is no change in that. A son may be prohibited from coming in on account of being diseased. Those things frequently occur.

The SPEAKER. The Clerk will read the conference report.

Mr. BURNETT. I ask that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. RAKER. Reserving the right to object——

The SPEAKER. The gentleman from California [Mr. RAKER] reserves the right to object.

Mr. SHERLEY. I am going to insist that one thing or the other be done.

Mr. BURNETT. If the gentleman will wait a moment, I would like to see if we can come to an agreement.

Mr. RAKER. If I can not get legitimate questions answered, it will compel my insisting upon reading the entire report.

Mr. SHERLEY. I suggest to the gentleman that the ordinary procedure is to let the matter come before the House. Then an opportunity will be given, but we ought not to proceed in this way without anything before the House.

Mr. RAKER. There will be something before the House when I get started. I want to ask a few questions concerning the matter, and it will save time——

Mr. SHERLEY. It will not save time.

Mr. MANN. Can we not have an agreement as to the time to be occupied in debate if the reading of the report is waived?

Mr. RAKER. My purpose is to ask a few questions which I think the chairman of the committee will be able to answer. If I can not have that privilege, I shall be compelled to insist upon the reading of the entire report, so that I may become familiar with the contents of it.

Mr. MANN. If the gentleman will yield, the gentleman may ask his questions and thus take up the time of the House, and then somebody else may require the report to be read, the waiver of which could be only by unanimous consent. Can you not agree upon the length of time to be occupied in debate, and save the reading of the report?

Mr. RAKER. That would suit me, if we can agree on it.

Mr. BURNETT. That is the very thing we are trying to do now, to reach an agreement.

Mr. MANN. I ask unanimous consent that there may be 20 minutes' debate on a side on this proposition, and that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from Illinois asks unanimous consent that there be 20 minutes' debate on each side, and that the statement be read in lieu of the report.

Mr. GOLDFOGLE. Mr. Speaker, reserving the right to object, I ask that that request be so modified as to allow 30 minutes on each side.

Mr. BURNETT. That is too long a time.

Mr. MANN. It would take an hour to read the report.

Mr. FITZGERALD. Mr. Speaker, I hope that will not be done. This conference merely corrects a mistake inadvertently made. We have business piling up here, and to discuss this matter with the overwhelming sentiment of the House as it is is a waste of time that we can not afford. We have only 20 working days remaining and 10 appropriation bills to consider.

The SPEAKER. It will take an hour to read the conference report if any Member insists upon it.

Mr. FITZGERALD. I trust that no gentleman will insist upon it.

The SPEAKER. Is there objection?

Mr. RAKER. Reserving the right to object, if time is granted to discuss this, I want five or seven minutes.

Mr. BURNETT. I will give the gentleman five minutes of my time.

The SPEAKER. Will the gentleman from New York give the gentleman from California two minutes of his time, as he wants seven?

Mr. GOLDFOGLE. Certainly.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read the statement.

The conference report is as follows:

CONFERENCE REPORT (NO. 1410).

The committee of conference on the disagreeing votes of the two Houses to the bill (S. 3175) entitled "An act to regulate the immigration of aliens to and the residence of aliens in the United States" having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

Strike out the text inserted by the House amendment and insert in lieu thereof the following:

"That the word 'alien' wherever used in this act shall include any person not a native-born or naturalized citizen of the United States; but this definition shall not be held to include Indians not taxed or citizens of the islands under the jurisdiction of the United States. That the term 'United States' as used in the title as well as in the various sections of this act shall be construed to mean the United States and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone; but if any alien shall leave the Canal Zone and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens. That the term 'seaman' as used in this act shall include every person signed on the ship's articles and employed in any capacity on board any vessel arriving in the United States from any foreign port or place.

"That this act shall be enforced in the Philippine Islands by officers of the General Government thereof designated by appropriate legislation of said Government.

"SEC. 2. That there shall be levied, collected, and paid a tax of $5 for every alien, including alien seamen regularly admitted as provided in this act, entering the United States. The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States, or by the alien himself if he does not come by a vessel, transportation line, or other conveyance or vehicle. The tax imposed by this section shall be a lien upon the vessel or other vehicle of carriage or transportation bringing such aliens to the United States, and shall be a debt in favor of the United States against the owner or owners of such vessel or other vehicle, and the payment of such tax may be enforced by any legal or equitable remedy. That the said tax shall not be levied on account of aliens who have in accordance with law declared their intention of becoming citizens of the United States or on account of aliens who shall enter the United States after an uninterrupted residence of at least one year, immediately preceding such entrance, in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, nor on account of otherwise admissible residents of any possession of the United States, nor on account of aliens in transit through the United States, nor upon aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory: *Provided*, That the Commissioner General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, by agreement with transportation lines, as provided in section 23 of this act, may arrange in some other manner for the payment of the tax imposed by this section upon any or all aliens seeking admission from foreign contiguous territory: *Provided further*, That said tax, when levied upon aliens entering the Philippine Islands, shall be paid into the treasury of said islands, to be expended for the benefit of such islands: *Provided further*, That in the cases of aliens applying for admission from foreign contiguous territory and rejected, the head tax collected shall upon application be refunded to the alien: *Provided further*, That the provisions of this section shall not apply to aliens arriving in Guam or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent, the provisions of this section shall apply.

"SEC. 3. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had one or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; professional beggars; vagrants; persons afflicted with tuberculosis in any form or with a loathsome or dangerous contagious disease; persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living; persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy; anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all forms of law, or who disbelieve in or are opposed to organized government, or who advocate the assassination of public officials; persons who are members of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government, or who advocate or teach the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or

their official character; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who procure or attempt to bring in prostitutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons who are supported by or receive in whole or in part the proceeds of prostitution; persons hereinafter called contract laborers, who have been induced, assisted, encouraged, or solicited to migrate to this country by offers or promises of employment, whether such offers or promises are true or false, or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; persons who have come in consequence of advertisements for laborers printed, published, or distributed in a foreign country; persons who have been deported under any of the provisions of this act, and who may again seek admission within one year from the date of such deportation, unless prior to their reembarkation at a foreign port, the Secretary of Commerce and Labor shall have consented to their reapplying for admission; persons whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes; persons whose ticket or passage is paid for by any corporation, association, society, municipality, or foreign Government, either directly or indirectly; stowaways, except that any such stowaway may be admitted in the discretion of the Secretary of Commerce and Labor; all children under 16 years of age, unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe; persons who can not become eligible, under existing law, to become citizens of the United States by naturalization, unless otherwise provided for by existing agreements as to passports, or by treaties, conventions, or agreements that may hereafter be entered into. The provision next foregoing, however, shall not apply to persons of the following status or occupations: Government officers, ministers or religious teachers, missionaries, lawyers, physicians, chemists, engineers, teachers, students, authors, editors, journalists, merchants, bankers, and travelers for curiosity or pleasure, nor to their legal wives or their chilren under 16 years of age who shall accompany them or who subsequently may apply for admission to the United States, but such persons or their legal wives or foreign-born children who fail to maintain in the United States a status or occupation placing them within the excepted classes shall be deemed to be in the United States contrary to law, and shall be subject to deportation as provided in section 19 of this act.

"That after four months from the approval of this act, in addition to the aliens who are by law now excluded from admission into the United States, the following persons shall also be excluded from admission thereto, to wit:

"All aliens over 16 years of age, physically capable of reading, who can not read the English language, or some other language or dialect, including Hebrew or Yiddish: *Provided*, That any admissible alien or any alien heretofore or hereafter legally admitted, or any citizen of the United States, may bring in or send for his father or grandfather over 55 years of age, his wife, his mother, his grandmother, or his unmarried or widowed daughter, if otherwise admissible, whether such relative can read or not; and such relatives shall be permitted to enter. That for the purpose of ascertaining whether aliens can read the immigrant inspectors shall be furnished with slips, of uniform size, prepared under the direction of the Secretary of Commerce and Labor, each containing not less than 30 nor more than 40 words in ordinary use, printed in plainly legible type in the various languages and dialects of immigrants. Each alien may designate the particular language or dialect in which he desires the examination to be made, and shall be required to read the words printed on the slip in such language or dialect. No two aliens coming in the same vessel or other vehicle of carriage or transportation shall be tested with the same slip. That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Commerce and Labor that they are seeking admission to the United States solely for the purpose of escaping from religious persecution; all aliens in transit through the United States; all aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory: *Provided*, That nothing in this act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude: *Provided further*, That the provisions of this act relating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to foreign contiguous territory: *Provided further*, That skilled labor, if otherwise admissible, may be imported if labor of like kind unemployed can not be found in this country, and the question of the necessity of importing such skilled labor in any particular instance may be determined by the Secretary of Commerce and Labor upon the application of any person interested, such application to be made before such importation, and such determination by the Secretary of Commerce and Labor to be reached after a full hearing and an investigation into the facts of the case; but such determination shall not become final until a period of 30 days has elapsed. Within three days after such determination the Secretary of Commerce and Labor shall cause to be published a brief statement reciting the substance of the application, the facts presented at the hearing and his determination thereon, in three daily newspapers of general circulation in three of the principal cities of the United States. At any time during said period of 30 days any person dissatisfied with the ruling may appeal to the district court of the United States of the district into which the labor is sought to be brought, which court or the judge thereof in vacation shall have jurisdiction to try de novo such question of necessity, and the decision in such court shall be final. Such appeal shall operate as a supersedeas: *Provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants: *Provided further*, That whenever the President shall be satisfied that passports issued by any foreign government to its citizens or subjects to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holder to come to the continental territory of the United States to the detriment of labor conditions therein, the President shall refuse to permit such citizens or subjects of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the Canal Zone: *Provided further*, That nothing in this act shall be construed to prevent, hinder, or restrict any alien exhibitor, or holder of a concession or privilege for any fair or exposition authorized by act of Congress, from bringing into the United States, under contract, such alien mechanics, artisans, agents, or other employees, natives of his country, as may be necessary for installing or conducting his exhibit or for preparing for installing or conducting any business authorized or permitted under any concession or privilege which may have been or may be granted by any such fair or exposition in connection therewith, under such rules and regulations as the Commissioner General of Immigration, with the approval of the Secretary of Commerce and Labor, may prescribe both as to the admission and return of such persons: *Provided further*, That nothing in this act shall be construed to apply to accredited officials of foreign governments nor to their suites, families, or guests: *Provided further*, That nothing in this act shall exclude the wife or minor children of a citizen of the United States.

"SEC. 4. That the importation into the United States of any alien for the purpose of prostitution, or for any other immoral purpose, is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States any alien for the purpose of prostitution, or for any other immoral purpose, or shall hold or attempt to hold any alien for any such purpose in pursuance of such illegal importation, or shall keep, maintain, control, support, employ, or harbor in any house or other place, for the purpose of prostitution or for any other immoral purpose, any alien, in pursuance of such illegal importation, shall in every such case be deemed guilty of a felony, and on conviction thereof shall be punished by imprisonment for a term of not more than 10 years and by a fine of not more than $5,000. Jurisdiction for the trial and punishment of the felonies hereinbefore set forth shall be in any district to or into which said alien is brought in pursuance of said importation by the person or persons accused, or in any district in which a violation of any of the foregoing provisions of this section occur. That any alien who shall, after he has been excluded and deported or arrested and deported in pursuance of the provisions of this act which relate to prostitutes, procurers, or other like immoral persons, attempt thereafter to return to or to enter the United States shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by im-

prisonment for a term of not more than two years. In all prosecutions under this section the testimony of a husband or wife shall be admissible and competent evidence against a wife or husband.

"SEC. 5. That it shall be unlawful for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to induce, assist, encourage, or solicit the importation or migration of any contract laborer or contract laborers into the United States, unless such contract laborer or contract laborers are exempted under the provisions of section 3 of this act, and for every violation of any of the provisions of this section the person, partnership, company, or corporation violating the same shall forfeit and pay for every such offense the sum of $1,000, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such aliens thus offered or promised employment as aforesaid, as debts of like amount are now recovered in the courts of the United States; or for every violation of the provisions hereof the person violating the same may be prosecuted in a criminal action for a misdemeanor, and on conviction thereof shall be punished by a fine of $1,000, or by imprisonment for a term of not less than six months nor more than two years; and under either the civil or the criminal procedure mentioned separate suits or prosecutions may be brought for each alien thus offered or promised employment as aforesaid.

"SEC. 6. That it shall be unlawful and be deemed a violation of section 5 of this act to induce, assist, encourage, or solicit any alien to come into the United States by promise of employment through advertisements printed, published, or distributed in any foreign country, whether such promise is true or false, and either the civil or the criminal penalty imposed by said section shall be applicable to such a case: *Provided*, That States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States may advertise, and by written or oral communication with prospective alien settlers make known, the inducements they offer for immigration thereto, respectively.

"SEC. 7. That it shall be unlawful for any person, association, society, company, partnership, corporation, or others engaged in the business of transporting aliens to the United States, including owners, masters, officers, and agents of vessels, directly or indirectly, by writing, printing, or oral representation, to solicit, invite, or encourage any alien to come into the United States, and anyone violating any provision hereof shall be subject to either the civil or the criminal prosecution prescribed by section 5 of this act; or if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any owner, master, officer, or agent of a vessel has brought or caused to be brought to a port of the United States any alien so solicited, invited, or encouraged to come by such owner, master, officer, or agent, such owner, master, officer, or agent shall pay to the collector of customs of the customs district in which the port of arrival is located or in which any vessel of the line may be found the sum of $400 for each and every such violation; and no vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine, or while the fine imposed remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit with the collector of customs of a sum sufficient to cover such fine: *Provided further*, That whenever it shall be shown to the satisfaction of the Secretary of Commerce and Labor that the provisions of this section are persistently violated by or on behalf of any transportation company, it shall be the duty of said Secretary to deny to such company the privilege of landing alien immigrant passengers of any or all classes at United States ports for such a period as in his judgment may be necessary to insure an observance of such provisions: *Provided further*, That this section shall not be held to prevent transportation companies from issuing letters, circulars, or advertisements, confined strictly to stating the sailings of their vessels and terms and facilities of transportation therein.

"SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into or land in the United States, by vessel or otherwise, or shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, or shall conceal or harbor, or attempt to conceal or harbor, or assist or abet another to conceal or harbor in any place, including any building, vessel, railway car, conveyance, or vehicle, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter or to reside within the United States under the terms of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding $1,000, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment for each and every alien so landed or brought in or attempted to be landed or brought in.

"SEC. 9. That it shall be unlawful for any person, including any transportation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel, to bring to the United States any alien afflicted with idiocy, insanity, imbecility, epilepsy, tuberculosis in any form, or a loathsome or dangerous contagious disease, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation, and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time, such person or transportation company, or the master, agent, owner, or consignee of any such vessel, shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of $200 for each and every violation of the provisions of this section. It shall also be unlawful for any such person to bring to any port of the United States any alien afflicted with any mental or physical defect of a nature which may affect his ability to earn a living, as contemplated in section 3 of this act, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was so afflicted at the time of foreign embarkation, and that the existence of such mental or physical defect might have been detected by means of a competent medical examination at such time, such person shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of $25 for each and every violation of this provision. It shall also be unlawful for any such person to bring to any port of the United States any alien who is excluded by the provisions of section 3 of this act because unable to read or who can not become eligible, under existing law, to become a citizen of the United States by naturalization, as provided in section 3 of this act, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that these disabilities might have been detected by the exercise of reasonable precaution prior to the departure of such aliens from a foreign port such person shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of $100 for each and every violation of this provision. And no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, or while the fine remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.

"SEC. 10. That it shall be the mandatory and unqualified duty of every person, including owners, officers, and agents of vessels or transportation lines, other than those lines which may enter into a contract as provided in section 23 of this act, bringing an alien to any seaport or land border port of the United States to prevent the landing of such alien in the United States at any time or place other than as designated by the immigration officers, and the failure of any such owner, officer, or agent to comply with the foregoing requirements shall be deemed a misdemeanor and on conviction thereof shall be punished by a fine in each case of not less than $100 nor more than $1,000 or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment; or, if in the opinion of the Secretary of Commerce and Labor it is impracticable or inconvenient to prosecute the owner, master, officer, or agent of any such vessel, a pecuniary penalty of $1,000 shall be a lien upon the vessel whose owner, master, officer, or agent violates the provisions of this section, and such vessel shall be libeled therefor in the appropriate United States court.

"SEC. 11. That whenever he may deem such action necessary the Secretary of Commerce and Labor may, at the expense of the appropriation for the enforcement of this act, detail immigrant inspectors and matrons of the United States Immigration Service for duty on vessels carrying immigrant or emigrant passengers, or passengers other than first and second cabin passengers, between ports of the United States and foreign ports. On such voyages said inspectors and matrons shall remain in that part of the vessel where immigrant passengers are carried. It shall be the duty of such inspectors and matrons to observe such passengers during the voyage and report to the immigration authorities in charge at the port of landing any information of value in determining the admissibility of such passengers under the laws regulating immigration of aliens into the United States. It shall further be the duty of such inspectors and matrons to

observe violations of the provisions of such laws and the violation of such provisions of the "passenger act" of August 2, 1882, as amended as relate to the care and treatment of immigrant passengers at sea, and report the same to the proper United States officials at ports of landing. Whenever the Secretary of Commerce and Labor so directs, a surgeon of the United States Public Health Service, detailed to the Immigration Service, not lower in rank than a passed assistant surgeon, shall be received and carried on any vessel transporting immigrant or emigrant passengers, or passengers other than first and second cabin passengers, between ports of the United States and foreign ports. Such surgeon shall be permitted to investigate and examine the condition of all immigrant and emigrant passengers in relation to any provisions of the laws regulating the immigration of aliens into the United States and such provisions of the "passenger act" of August 2, 1882, as amended as relate to the care and treatment of immigrant passengers at sea, and shall immediately report any violation of said laws to the master or commanding officer of the vessel, and shall also report said violations to the Secretary of Commerce and Labor within 24 hours after the arrival of the vessel at the port of entry in the United States. Such surgeon shall accompany the master or captain of the vessel in his visits to the sanitary officers of the ports of call during the voyage, and, should contagious or infectious diseases prevail at any port where passengers are received, he shall request all reasonable precautionary measures for the health of persons on board. Such surgeon on arrival at ports of the United States shall also, if requested by the examining board, furnish any information he may possess in regard to immigrants arriving on the vessel to which he has been detailed. While on duty such surgeons shall wear the prescribed uniform of their service and shall be provided with first-class accommodations on such vessel at the expense of the appropriation for the enforcement of this act. For every violation of this section any person, including any transportation company, owning or operating the vessel in which such violation occurs shall pay to the collector of customs of the customs district in which the next United States port of arrival is located the sum of $1,000 for each and every day during which such violation continues, the term "violation" to include the refusal of any person having authority so to do to permit any such immigrant inspector, matron, or surgeon to be received on board such vessel, as provided in this section, and also the refusal of the master or commanding officer of any such vessel to permit the inspections and visits of any such surgeon, as provided in this section, and no vessel shall be granted clearance papers pending the determination of the question of the liability of such fine, or while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of all such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.

"SEC. 12. That upon the arrival of any alien by water at any point within the United States on the North American Continent from a foreign port or a port of the Philippine Islands, Guam, Porto Rico, or Hawaii, or at any port of the said insular possessions from any foreign port, from a port in the United States on the North American Continent, or from a port of another insular possession of the United States, it shall be the duty of the master or commanding officer, owners or consignees of the steamer, sailing, or other vessel having said alien on board to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said list, contain full and accurate information as to each alien, as follows: Full name, age, and sex; whether married or single; calling or occupation, personal description (including height, complexion, color of hair and eyes, and marks of identification); whether able to read; nationality; country of birth; race; country of last permanent residence; name and address of the nearest relative in the country from which the alien came; seaport for landing in the United States; final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; by whom passage was paid; whether going to join a relative or friend, and if so, what relative or friend, and his or her name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or an institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether a person who believes in or advocates the overthrow by force or violence of the Government of the United States or of all forms of law, or who disbelieves in or is opposed to organized government, or who advocates the assassination of public officials, or is a member of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character; whether coming by reason of any offer, solicitation, promise, or agreement, express or implied, to perform labor in the United States; the alien's condition of health, mental and physical; whether deformed or crippled, and if so, for how long and from what cause; and such master or commanding officer, owners, or consignees shall also furnish information in relation to the sex, age, class of travel, and the foreign port of embarkation of arriving passengers who are United States citizens. That it shall further be the duty of the master or commanding officer of every vessel taking passengers from any port of the United States on the North American Continent to a foreign port or a port of the Philippine Islands, Guam, Porto Rico, or Hawaii, or from any port of the said insular possession to any foreign port, to a port of the United States on the North American Continent, or to a port of another insular possession of the United States to file with the immigration officials before departure a list which shall contain full and accurate information in relation to the following matters regarding all alien passengers and all citizens of the United States or insular possessions of the United States departing with the stated intent to reside permanently in a foreign country, taken on board: Name, age, and sex; whether married or single; calling or occupation; whether able to read; nationality; country of birth; country of which citizen or subject; race; last permanent residence in the United States or insular possessions thereof; if a citizen of the United States or of the insular possessions thereof, whether native born or naturalized; intended future permanent residence; and time and port of last arrival in the United States or insular possessions thereof; and such master or commanding officer shall also furnish information in relation to the sex, age, class of travel, and port of debarkation of the United States citizens departing who do not intend to reside permanently in a foreign country, and no master of any such vessel shall be granted clearance papers for his vessel until he has deposited such list or lists with the immigration officials at the port of departure and made oath that they are full and complete as to the name and other information herein required concerning each person of the classes specified taken on board his vessel; and any neglect or omission to comply with the requirements of this section shall be punishable as provided in section 14 of this act: *Provided*, That in the case of vessels making regular trips to ports of the United States the Commissioner General of Immigration, with the approval of the Secretary of Commerce and Labor, may, when expedient, arrange for the delivery of such lists of outgoing aliens at a later date: *Provided further*, That it shall be the duty of immigration officials to record the following information regarding every resident alien and citizen leaving the United States by way of the Canadian or Mexican borders for permanent residence in a foreign country: Name, age, and sex; whether married or single; calling or occupation; whether able to read; nationality; country of birth; country of which citizen or subject; race; last permanent residence in the United States; intended future permanent residence; and time and port of last arrival in the United States; and if a United States citizen, whether native born or naturalized.

"SEC. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, the names of those coming from the same locality to be assembled so far as practicable, and no one list or manifest shall contain more than 30 names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, and so forth, are contained, and his number on said list, for convenience of identification on arrival. Each list or manifest shall be verified by the signature and the oath or affirmation of the master or commanding officer, or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said aliens is of any of the classes excluded from admission into the United States by section 3 of this act, and that also according to the best of his knowledge and belief, the information in said lists or manifests concerning each of said aliens named therein is correct and true in every respect. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his pro-

fessional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessels, and the manifests shall be verified by such surgeon before a United States consular officer.

"SEC. 14. That it shall be unlawful for the master or commanding officer of any vessel bringing aliens into or carrying aliens out of the United States to refuse or fail to deliver to the immigration officials the accurate and full manifests or statements or information regarding all aliens on board or taken on board such vessel required by this act, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that there has been such a refusal or failure, or that the lists delivered are not accurate and full, such master or commanding officer shall pay to the collector of customs at the port of arrival or departure the sum of $10 for each alien, concerning whom such accurate and full manifest or statement or information is not furnished, or concerning whom the manifest or statement or information is not prepared and sworn to as prescribed by this act. No vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine, or while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such question upon the deposit with the collector of customs of a sum sufficient to cover such fine.

"SEC. 15. That upon the arrival at a port of the United States of any vessel bringing aliens it shall be the duty of the proper immigration officials to go or to send competent assistants to the vessel and there inspect all such aliens, or said immigration officials may order a temporary removal of such aliens for examination at a designated time and place, but such temporary removal shall not be considered a landing, nor shall it relieve the transportation lines, masters, agents, owners, or consignees of the vessel upon which said aliens are brought to any port of the United States from any of the obligations which, in case such aliens remain on board, would, under the provisions of this act bind the said transportation lines, masters, agents, owners, or consignees: *Provided*, That where removal is made to premises owned or controlled by the United States, said transportation lines, masters, agents, owners, or consignees, and each of them shall, so long as detention there lasts, be relieved of responsibility for the safekeeping of such aliens. Whenever a temporary removal of aliens is made the transportation lines which brought them and the masters, owners, agents, and consignees of the vessel upon which they arrive shall pay all expenses of such removal and all expenses arising during subsequent detention, pending decision on the aliens' eligibility to enter the United States and until they are either allowed to land or returned to the care of the line or to the vessel which brought them, such expenses to include those of maintenance, medical treatment in hospital or elsewhere, burial in the event of death, and transfer to the vessel in the event of deportation, excepting only where they arise under the terms of any of the provisos of section 18 thereof. Any refusal or failure to comply with the provisions hereof to be punished in the manner specified in section 18 of this act.

"SEC. 16. That the physical and mental examination of all arriving aliens shall be made by medical officers of the United States Public Health Service who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine, and who shall certify, for the information of the immigration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien; or, should medical officers of the United States Public Health Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergency for such service, upon such terms as may be prescribed by the Commissioner General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor. Medical officers of the United States Public Health Service who have had especial training in the diagnosis of insanity and mental defect shall be detailed for duty or employed at all large ports of entry, and such medical officers shall be provided with suitable facilities for the detention and examination of all arriving aliens in whom insanity or mental defect is suspected, and the services of interpreters shall be provided for such examination. That the inspection, other than the physical and mental examination, of aliens, including those seeking admission or readmission to or the privilege of passing through or residing in the United States, and the examination of aliens arrested within the United States under this act, shall be conducted by immigrant inspectors, except as hereinafter provided in regard to boards of special inquiry. Immigrant inspectors are hereby authorized and empowered to board and search for aliens any vessel, railway car, conveyance, or vehicle in which they believe aliens are being brought into the United States. Said inspectors shall have power to administer oaths and to take and consider evidence touching the right of any alien to enter, reenter, pass through, or reside in the United States, and, where such action may be necessary, to make a written record of such evidence; and any person to whom such an oath has been administered, under the provisions of this act, who shall knowingly or willfully give false evidence or swear to any false statement in any way affecting or in relation to the right of any alien to admission, or readmission to, or to pass through, or to reside in the United States shall be deemed guilty of perjury and be punished as provided by section 125 of the act approved March 4, 1909, entitled "An act to codify, revise, and amend the penal laws of the United States." Any commissioner of immigration or inspector in charge shall also have power to require the attendance and testimony of witnesses before said inspectors and the production of books, papers, and documents touching the right of any alien to enter, reenter, reside in, or pass through the United States, and to that end may invoke the aid of any court of the United States; and any district court within the jurisdiction of which investigations are being conducted by an immigrant inspector may, in the event of neglect or refusal to respond to a subpœna issued by any commissioner of immigration or inspector in charge or refusal to testify before said immigrant inspector, issue an order requiring such person to appear before said immigrant inspector, produce books, papers, and documents, if demanded, and testify; and any failure to obey such order of the court shall be punished by the court as a contempt thereof. That any person, including employees, officials, or agents of transportation companies, who shall assault, resist, prevent, impede, or interfere with any immigration official or employee in the performance of his duty under this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment for a term of not less than six months nor more than two years, or by a fine of not less than $200 nor more than $2,000; and any person who shall use any deadly or dangerous weapon in resisting any immigration official or employee in the performance of his duty shall be deemed guilty of a felony and shall on conviction thereof be punished by imprisonment for not less than one nor more than 10 years. Every alien who may not appear to the examining immigrant inspector at the port of arrival to be clearly and beyond a doubt entitled to land shall be detained for examination in relation thereto by a board of special inquiry. In the event of rejection by the board of special inquiry, in all cases where an appeal to the Secretary of Commerce and Labor is permitted by this act, the alien shall be so informed and shall have the right to be represented by counsel or other adviser on such appeal. The decision of an immigrant inspector, if favorable to the admission of any alien, shall be subject to challenge by any other immigrant inspector, and such challenge shall operate to take the alien whose right to land is so challenged before a board of special inquiry for its investigation.

"SEC. 17. That boards of special inquiry shall be appointed by the commissioner of immigration or inspector in charge at the various ports of arrival as may be necessary for the prompt determination of all cases of immigrants detained at such ports under the provisions of the law. Each board shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner General of Immigration, with the approval of the Secretary of Commerce and Labor, shall from time to time designate as qualified to serve on such boards. When in the opinion of the Secretary of Commerce and Labor the maintenance of a permanent board of special inquiry for service at any sea or land border port is not warranted, regularly constituted boards may be detailed from other stations for temporary service at such port, or, if that be impracticable, the Secretary of Commerce and Labor shall authorize the creation of boards of special inquiry by the immigration officials in charge at such ports, and shall determine what Government officials or other persons shall be eligible for service on such boards. Such boards shall have authority to determine whether an alien who has been duly held shall be allowed to land or shall be deported. All hearings before such boards shall be separate and apart from the public.

Such boards shall keep a complete permanent record of their proceedings and of all such testimony as may be produced before them; and the decision of any two members of a board shall prevail, but either the alien or any dissenting member of the said board may appeal through the commissioner of immigration at the port of arrival and the Commissioner General of Immigration to the Secretary of Commerce and Labor, and the taking of such appeal shall operate to stay any action in regard to the final disposal of any alien whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival of such decision, which shall be rendered solely upon the evidence adduced before the board of special inquiry. In every case where an alien is excluded from admission into the United States, under any law or treaty now existing or hereafter made, the decision of a board of special inquiry if adverse to the admission of such alien shall be final, unless reversed on appeal to the Secretary of Commerce and Labor: *Provided*, That the decision of a board of special inquiry, based upon the certificate of the examining medical officer, shall be final as to the rejection of aliens affected with tuberculosis in any form or with a loathsome or dangerous contagious disease, or with any mental or physical disability which would bring such aliens within any of the classes excluded from admission to the United States under section 3 of this act.

"SEC. 18. That all aliens brought to this country in violation of law shall, if practicable, be immediately sent back, in accommodations of the same class in which they arrived, to the country whence they respectively came on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came. That it shall be unlawful for any master, purser, person in charge, agent, owner, or consignee of any such vessel to refuse to receive back on board thereof, or on board of any other vessel owned or operated by the same interests, such aliens; or to fail to detain them thereon; or to refuse or fail to return them in the manner aforesaid to the foreign port from which they came; or to pay the cost of their maintenance while on land; or to make any charge for the return of any such alien; or to take any security from him for the payment of such charge; or to take any consideration to be returned in case the alien is landed; or knowingly to bring to the United States at any time within one year from the date of deportation any alien rejected or arrested and deported under any provision of this act, unless prior to reembarkation the Secretary of Commerce and Labor has consented that such alien shall reapply for admission, as required by section 3 hereof; and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that such master, purser, person in charge, agent, owner or consignee has violated any of the foregoing provisions such master, purser, person in charge, agent, owner, or consignee shall pay to the collector of customs of the customs district in which the port of arrival is located, or in which any vessel of the line may be found, the sum of $300 for each and every violation of any provision of this section; and no vessel shall have clearance from any port of the United States while any such fine is unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such question upon the deposit with the collector of customs of a sum sufficient to cover such fine. If the vessel by which any alien ordered deported came has left the United States and it is impracticable for any reason to deport the alien within a reasonable time by another vessel owned by the same interests, the cost of deportation may be paid by the Government and recovered by civil suit from any agent, owner, or consignee of the vessel: *Provided further*, That the Commissioner General of Immigration, with the approval of the Secretary of Commerce and Labor, may suspend, upon conditions to be prescribed by the Commissioner General of Immigration, the deportation of any alien found to have come in violation of any provision of this act, if, in his judgment, the testimony of such alien is necessary on behalf of the United States Government in the prosecution of offenders against any provision of this act; and the cost of maintenance of any person so detained resulting from such suspension of deportation, and a witness fee in the sum of $1 per day for each day such person is so detained, may be paid from the appropriation for the enforcement of this act, or such alien may be released under bond, in the penalty of not less than $500, with security approved by the Secretary of Commerce and Labor, conditioned that such alien shall be produced when required as a witness and for deportation. No alien certified, as provided in section 16 of this act, to be suffering from tuberculosis in any form, or from a loathsome or dangerous contagious disease other than one of quarantinable nature, shall be permitted to land for medical treatment thereof in any hospital in the United States, unless with the express permission of the Secretary of Commerce and Labor: *Provided further*, That upon the certificate of a medical officer of the United States Public Health Service to the effect that the health or safety of an insane alien would be unduly imperiled by immediate deportation, such alien may, at the expense of the appropriation for the enforcement of this act, be held for treatment until such time as such alien may, in the opinion of such medical officer, be safely deported: *Provided further*, That upon the certificate of a medical officer of the United States Public Health Service to the effect that a rejected alien is helpless from sickness, mental or physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by such rejected alien, such accompanying alien may also be excluded, and the master, agent, owner, or consignee of the vessel in which such alien and accompanying alien are brought shall be required to return said alien and accompanying alien in the same manner as vessels are required to return other rejected aliens.

"SEC. 19. That any alien, at any time within three years after entry, who shall enter the United States in violation of law; any alien who within three years after entry becomes a public charge from causes existing prior to the landing; except as hereinafter provided, any alien who is hereafter sentenced to imprisonment for a term of one year or more because of conviction in this country of a crime involving moral turpitude, committed within three years after the entry of the alien to the United States; any alien who shall be found an inmate of or connected with the management of a house of prostitution or practicing prostitution after such alien shall have entered the United States, or who shall receive, share in, or derive benefit from any part of the earnings of any prostitute; any alien who is employed by, in, or in connection with any house of prostitution or music or dance hall or other place of amusement or resort habitually frequented by prostitutes, or where prostitutes gather, or who any way assists, protects, or promises to protect from arrest any prostitute; any alien who shall import or attempt to import any person for the purpose of prostitution or for any other immoral purpose; any alien who, after being excluded and deported or arrested and deported as a prostitute, or as a procurer, or as having been connected with the business of prostitution or importation for prostitution or other immoral purposes in any of the ways hereinbefore specified shall return to and enter the United States; any alien convicted and imprisoned for a violation of any of the provisions of section 4 hereof; any alien, at any time within three years after entry, who shall enter the United States by water at any time or place other than as designated by immigration officials, or by land at any place other than one designated as a port of entry for aliens by the Commissioner General of Immigration, or at any time not designated by immigration officials, shall, upon the warrant of the Secretary of Commerce and Labor, be taken into custody and deported: *Provided*, That the provision of this section respecting the deportation of aliens convicted of a crime involving moral turpitude shall not apply to one who has been pardoned, nor shall such deportation be made or directed if the court sentencing such alien for such crime shall, at the time of imposing judgment or passing sentence, make a recommendation to the Secretary of Commerce and Labor that such alien shall not be deported in pursuance of this act; nor shall any alien convicted as aforesaid be deported until after the termination of his imprisonment: *Provided further*, That the provisions of this section, with the exceptions hereinbefore noted, shall be applicable to the classes of aliens therein mentioned irrespective of the time of their entry into the United States. In every case where any person is ordered deported from the United States under the provisions of this act or of any law or treaty now existing, the decision of the Secretary of Commerce and Labor shall be final.

"SEC. 20. That the deportation of aliens provided for in this act shall, at the option of the Secretary of Commerce and Labor, be to the country whence they came or to the foreign port at which such aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which they embarked for such territory; or, if such aliens entered foreign contiguous territory from the United States and later entered the United States, or if such aliens are held by the country from which they entered the United States not to be subjects or citizens of such country, and such country refuses to permit their reentry, or imposes any condition upon permitting reentry, then to the country of which such aliens are subjects or citizens, or to the country in which they resided prior to entering the country from which they entered the United States. If effected at any time within five years after the entry of the alien, such deportation, including one-half of

the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States, or, if that can not be done, then the cost of removal to the port of deportation shall be at the expense of the appropriation for the enforcement of this act, and the deportation from such port shall be at the expense of the owner or owners of such vessels or transportation line by which such aliens respectively came, or, if that is not practicable, at the expense of the appropriation for the enforcement of this act. If such deportation is effected later than five years after the entry of the alien, or, if the deportation is made by reason of causes arising subsequent to entry, the cost thereof shall be payable from the appropriation for the enforcement of this act. A failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of Commerce and Labor to take on board, guard safely, and transport to the destination specified any alien ordered to be deported under the provisions of this act shall be punished by the imposition of the penalties prescribed in section 18 of this act: *Provided*, That when in the opinion of the Secretary of Commerce and Labor the mental or physical condition of such alien is such as to require personal care and attendance, he may employ a suitable person for that purpose, who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in like manner. Pending the final disposal of the case of any alien so taken into custody he may be released under a bond in the penalty of not less than $500 with security approved by the Secretary of Commerce and Labor, conditioned that such alien shall be produced when required for a hearing or hearings in regard to the charge upon which he has been taken into custody, and for deportation if he shall be found to be unlawfully within the United States.

"SEC. 21. That any alien liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis in any form or a loathsome or dangerous contagious disease may, if otherwise admissible, nevertheless be admitted in the discretion of the Secretary of Commerce and Labor upon the giving of a suitable and proper bond or undertaking, approved by said Secretary, in such amount and containing such conditions as he may prescribe, to the United States and to all States, Territories, counties, towns, municipalities, and districts thereof, holding the United States and all States, Territories, counties, towns, municipalities, and districts thereof harmless against such alien becoming a public charge. The admission of such alien shall be a consideration for the giving of such bond or undertaking. Suit may be brought thereon in the name and by the proper law officers either of the United States Government or of any State, Territory, district, county, town, or municipality in which such alien becomes a public charge.

"SEC. 22. That wherever an alien shall have taken up his permanent residence in this country, and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife or minor children to join him, if said wife or any of said children shall be found to be affected with any contagious disorder, such wife or children shall be held, under such regulations as the Secretary of Commerce and Labor shall prescribe, until it shall be determined whether the disorder will be easily curable or whether they can be permitted to land without danger to other persons; and they shall not be either admitted or deported until such facts have been ascertained; and if it shall be determined that the disorder is easily curable and the husband or father or other responsible person is willing to bear the expense of the treatment, they may be accorded treatment in hospital until cured and then be admitted, or if it shall be determined that they can be permitted to land without danger to other persons, they may, if otherwise admissible, thereupon be admitted.

"SEC. 23. That the Commissioner General of Immigration shall perform all his duties under the direction of the Secretary of Commerce and Labor. Under such direction he shall have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder; he shall establish such rules and regulations, prescribe such forms of bond, reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this act and for protecting the United States and aliens migrating thereto from fraud and loss, and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid, and to remove to their native country, at any time within three years after entry, at the expense of the appropriations for the enforcement of this act, such as fall into distress or need public aid from causes arising subsequent to their entry and are desirous of being so removed; he shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not unnecessarily to delay, impede, or annoy persons in ordinary travel between the United States and said countries, and shall have power to enter into contracts with transportation lines for the said purpose; it shall be the duty of the Commissioner General of Immigration to detail officers of the Immigration Service from time to time as may be necessary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United States and to inform the officers of such institutions of the provisions of law in relation to the deportation of aliens who have become public charges. He may, with the approval of the Secretary of Commerce and Labor, whenever in his judgment such action may be necessary to accomplish the purposes of this act, detail immigration officers, and also surgeons of the United States Public Health Service employed under this act for service in foreign countries. The duties of commissioners of immigration and other immigration officials in charge of districts, ports, or stations shall be of an administrative character, to be prescribed in detail by regulations prepared under the direction or with the approval of the Secretary of Commerce and Labor: *Provided*, That for the purpose of making effective the provisions of this section relating to the protection of aliens from fraud and loss, and also the provisions of section 30 of this act, relating to the distribution of aliens, the Secretary of Commerce and Labor shall establish and maintain immigrant stations at such interior places as may be necessary, and, in the discretion of the said Secretary, aliens in transit from ports of landing to such interior stations shall be accompanied by immigrant inspectors.

"SEC. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed and their compensation fixed and raised or decreased from time to time by the Secretary of Commerce and Labor, upon the recommendation of the Commissioner General of Immigration and in accordance with the provisions of the civil-service act of January 16, 1883: *Provided*, That said Secretary, in the enforcement of that portion of this act which excludes contract laborers, may employ, without reference to the provisions of the said civil-service act, or to the various acts relative to the compilation of the official register, such persons as he may deem advisable and from time to time fix, raise, or decrease their compensation. He may draw annually from the appropriation for the enforcement of this act $50,000, or as much thereof as may be necessary, to be expended for the salaries and expenses of persons so employed and for expenses incident to such employment; and the accounting officers of the Treasury shall pass to the credit of the proper disbursing officer expenditures from said sum without itemized account whenever the Secretary of Commerce and Labor certifies that an itemized account would not be for the best interests of the Government: *Provided further*, That nothing herein contained shall be construed to alter the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation act approved August 18, 1894, or the official status of such commissioners heretofore appointed.

"SEC. 25. That the district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this act. That it shall be the duty of the United States district attorney of the proper district to prosecute every such suit when brought by the United States under this act. Such prosecutions or suits may be instituted at any place in the United States at which the violation may occur or at which the person charged with such violation may be found. That no suit or proceeding for a violation of the provisions of this act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.

"SEC. 26. That all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with any United States immigrant station, shall be disposed of after public competition, subject to such conditions and limitations as the Commissioner General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, may prescribe, and all receipts accruing from the disposal of such exclusive privileges shall be paid into the Treasury of the United States. No intoxicating liquors shall be sold at any such immigrant station.

"SEC. 27. That for the preservation of the peace and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purpose of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

"SEC. 28. That any person who knowingly aids or assists any anarchist or any person who believes in or advocates the overthrow by force or violence of the Government of the United States, or who disbelieves in or is opposed to organized government, or all forms of law, or who advocates the assassination of public officials, or who is a member of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, to enter the United States, or who connives or conspires with any person or persons to allow, procure, or permit any such anarchist or person aforesaid to enter therein shall be deemed guilty of a felony, and on conviction thereof shall be punished by a fine of not more than $5,000 or by imprisonment for not more than five years, or both.

"SEC. 29. That the President of the United States is authorized, in the name of the Government of the United States, to call, in his discretion, an international conference, to assemble at such point as may be agreed upon, or to send special commissioners to any foreign country, for the purpose of regulating by international agreement, subject to the advice and consent of the Senate of the United States, the immigration of aliens to the United States; of providing for the mental, moral, and physical examination of such aliens by American consuls or other officers of the United States Government at the ports of embarkation, or elsewhere; of securing the assistance of foreign Governments in their own territories to prevent the evasion of the laws of the United States governing immigration to the United States; of entering into such international agreements as may be proper to prevent the immigration of aliens who, under the laws of the United States, are or may be excluded from entering the United States, and of regulating any matters pertaining to such immigration.

"SEC. 30. That there shall be maintained a division of information in the Bureau of Immigration and Naturalization; and the Secretary of Commerce and Labor shall provide such clerical and other assistance as may be necessary. It shall be the duty of said division to promote a beneficial distribution of aliens admitted into the United States among the several States and Territories desiring immigration. Correspondence shall be had with the proper officials of the States and Territories, and said division shall gather from all available sources useful information regarding the resources, products, and physical characteristics of each State and Territory, and shall publish such information in different languages and distribute the publications among all admitted aliens at the immigrant stations of the United States and to such other persons as may desire the same. When any State or Territory appoints and maintains an agent or agents to represent it at any of the immigrant stations of the United States, such agents shall, under regulations prescribed by the Commissioner General of Immigration, subject to the approval of the Secretary of Commerce and Labor, have access to aliens who have been admitted to the United States for the purpose of presenting, either orally or in writing, the special inducements offered by such State or Territory to aliens to settle therein. While on duty at any immigrant station such agents shall be subject to all the regulations prescribed by the Commissioner General of Immigration, who, with the approval of the Secretary of Commerce and Labor, may, for violation of any such regulations, deny to the agent guilty of such violation any of the privileges herein granted.

"SEC. 31. That any person, including the owner, agent, consignee, or master of any vessel arriving in the United States from any foreign port or place, who shall knowingly sign on the ship's articles, or bring to the United States as one of the crew of such vessel, any alien, with intent to permit such alien to land in the United States in violation of the laws and treaties of the United States regulating the immigration of aliens, or who shall falsely and knowingly represent to the immigration authorities at the port of arrival that any such alien is a bona fide member of the crew, shall be liable to a penalty not exceeding $5,000, for which sum the said vessel shall be liable and may be seized and proceeded against by way of libel in any district court of the United States having jurisdiction of the offense.

"SEC. 32. That no alien excluded from admission into the United States by any law or treaty of the United States regulating the immigration of aliens, and employed on board any vessel arriving in the United States from any foreign port or place, shall be permitted to land in the United States, except temporarily for medical treatment, or pursuant to regulations prescribed by the Secretary of Commerce and Labor providing for the ultimate removal or deportation of such alien from the United States, and the negligent failure of the owner, agent, consignee, or master of such vessel to detain on board any such alien after notice in writing by the immigration officer in charge at the port of arrival, and to deport such alien, if required by such immigration officer or by the Secretary of Commerce and Labor, shall render such owner, agent, consignee, or master liable to a penalty not exceeding $1,000, for which sum the said vessel shall be liable, and may be seized and proceeded against by way of libel in any district court of the United States having jurisdiction of the offense.

"SEC. 33. That it shall be unlawful and be deemed a violation of the preceding section to pay off or discharge any alien employed on board any vessel arriving in the United States from any foreign port or place, unless duly admitted pursuant to the laws and treaties of the United States regulating the immigration of aliens: *Provided*, That in case any such alien intends to reship on board any other vessel bound to any foreign port or place he shall be allowed to land for the purpose of so reshipping, and may be paid off, discharged, and permitted to remove his effects, anything in such laws or treaties or in this act to the contrary notwithstanding, provided due notice of such proposed action first be given to the principal immigration officer in charge at the port of arrival.

"SEC. 34. That any alien seaman who shall desert his vessel in a port of the United States or who shall land therein contrary to the provisions of this act shall be deemed to be unlawfully in the United States and shall, at any time within three years thereafter, upon the warrant of the Secretary of Commerce and Labor, be taken into custody and brought before a board of special inquiry for examination as to his qualifications for admission to the United States, and if not admitted said alien seaman shall be deported at the expense of the appropriation for this act as provided in section 20 of this act.

"SEC. 35. That it shall be unlawful for any vessel carrying passengers between a port of the United States and a port of a foreign country, upon arrival in the United States, to have on board employed thereon any alien afflicted with idiocy, imbecility, insanity, epilepsy, tuberculosis in any form, or a loathsome or dangerous contagious disease, if it appears to the satisfaction of the Secretary of Commerce and Labor, from an examination made by a medical officer of the United States Public Health Service, and is so certified by such officer, that any such alien was so afflicted at the time he was shipped or engaged and taken on board such vessel and that the existence of such affliction might have been detected by means of a competent medical examination at such time; and for every such alien so afflicted on board any such vessel at the time of arrival the owner, agent, consignee, or master thereof shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of $25; and no vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine and while it remains unpaid: *Provided*, That clearance may be granted prior to the determination of such question upon the deposit of a sum sufficient to cover such fine: *Provided further*, That such fine may, in the discretion of the Secretary of Commerce and Labor, be mitigated or remitted.

"SEC. 36. That upon arrival of any vessel in the United States from any foreign port or place it shall be the duty of the owner, agent, consignee, or master thereof to deliver to the principal immigration officer in charge of the port of arrival lists containing the names of all aliens employed on such vessel, stating the positions they respectively hold in the ship's company, when and where they were respectively shipped or engaged, and specifying those to be paid off and discharged in the port of arrival; or lists containing so much of such information as the Secretary of Commerce and Labor shall by regulation prescribe; and after the arrival of any such vessel it shall be the duty of such owner, agent, consignee, or master to report to such immigration officer, in writing, as soon as discovered, all cases in which any such alien has deserted the vessel, giving a description of such alien, together with any information likely to lead to his apprehension; and before the departure of any such vessel it shall be the duty of such owner, agent, consignee, or master to deliver to such immigration officer a further list containing the names of all alien employees who were

not employed thereon at the time of the arrival, but who will leave port thereon at the time of her departure, and also the names of those, if any, who have been paid off and discharged, and of those, if any, who have deserted or landed or been duly admitted; and in case of the failure of such owner, agent, consignee, or master so to deliver either of the said lists of such aliens arriving and departing, respectively, or so to report such cases of desertion, or landing, such owner, agent, consignee, or master shall, if required by the Secretary of Commerce and Labor, pay to the collector of customs of the customs district in which the port of arrival is located the sum of $10 for each alien concerning whom correct lists are not delivered or a true report is not made as above required; and no such vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine and, in the event such fine is imposed, while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such question upon deposit of a sum sufficient to cover such fine.

"SEC. 37. The word 'person' as used in this act shall be construed to import both the plural and the singular, as the case may be, and shall include corporations, companies, and associations. When construing and enforcing the provisions of this act, the act, omission, or failure of any director, officer, agent, or employee of any corporation, company, or association acting within the scope of his employment or office shall in every case be deemed to be the act, omission, or failure of such corporation, company, or association, as well as that of the person acting for or in behalf of such corporation, company, or association.

"SEC. 38. That this act, except as otherwise provided in section 3, shall take effect and be enforced from and after July 1, 1913. The act of March 26, 1910, amending the act of February 20, 1907, to regulate the immigration of aliens into the United States; the act of February 20, 1907, to regulate the immigration of aliens into the United States, except section 34 thereof; the act of March 3, 1903, to regulate the immigration of aliens into the United States, except section 34 thereof; and all other acts and parts of acts inconsistent with this act are hereby repealed on and after the taking effect of this act: *Provided*, That this act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent, nor to repeal, alter, or amend section 6, chapter 453, third session Fifty-eighth Congress, approved February 6, 1905, or the act approved August 2, 1882, entitled 'An act to regulate the carriage of passengers by sea,' and amendments thereto: *Provided*, That nothing contained in this act shall be construed to affect any prosecution, suit, action, or proceedings brought, or any act, thing, or matter, civil or criminal, done or existing at the time of the taking effect of this act, except as mentioned in the last proviso of section 19 hereof; but as to all such prosecutions, suits, actions, proceedings, acts, things, or matters, the laws or parts of laws repealed or amended by this act are hereby continued in force and effect."

JOHN L. BURNETT,
AUGUSTUS P. GARDNER,
Managers on the part of the House.
H. C. LODGE,
WM. P. DILLINGHAM,
LE ROY PERCY,
Managers on the part of the Senate.

The Clerk read the statement, as follows:

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the Senate bill (S. 3175) regulating the immigration of aliens submit the following detailed statement in explanation of the effect agreed upon and recommended in the conference report:

The changes made since the last conference report was accepted by the House on January 25 are as follows:

First. The change made in the definition of the word "alien" during the second conference has been modified.

Second. In section 3 the following clause has been stricken out: "persons who have committed a felony or other crime or misdemeanor involving moral turpitude." In lieu thereof has been reinserted the provision of existing law, viz, "persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude."

JOHN L. BURNETT,
AUGUSTUS P. GARDNER,
Managers on the part of the House.

Mr. RAKER. Mr. Speaker, the main thing I desire to call the attention of the House to is in regard to Asiatic immigration, and particularly to the Chinese, Hindu, and Japanese immigration, as it relates to this bill. Also to the provision in the bill which is somewhat of a substitute—and I use the word advisedly—as to excluding persons ineligible to become citizens of the United States by naturalization.

The bill as it was originally introduced did not contain any questions as to Chinese, and the bill provided that all laws relating to the exclusion of Chinese persons should be repealed. The original bill as prepared by the committee contained a provision that "persons who are ineligible to become citizens of the United States for naturalization." Then the bill as presented on August 7, 1911, S. 3175, contained the provision, "persons who are not eligible to become citizens of the United States by naturalization. This provision shall not apply to persons of the following status or occupation."

Then, the bill as amended January 18, 1912, contained this provision: "Persons who are not eligible to become citizens of the United States by naturalization," with the same provision that it shall not apply to persons of the following status or occupation, which is there specified.

On February 14, 1912, Senate bill 3175 was recommitted to the Committee on Immigration of the Senate, and contained, in addition to the above, "*Provided*, That persons who are not eligible to become citizens of the United States by naturalization, unless otherwise provided for by treaties, conventions, or by agreement or passport." That provision, in substance, was in the bill as prepared by the committee at the first draft of it. On August 7, 1911, February 18, 1912, February 14, 1912, and as reintroduced April 15, 1912, and as reintroduced and passed the Senate April 19, 1912, and as submitted to the House, the entire matter was stricken out, and the Burnett amendment substituted therefor. The three conference reports, 1340, 1378, and 1410 contain the same provision as was in the original bill.

The SPEAKER. The gentleman from California asks unanimous consent to insert the statement in the RECORD as a part of his remarks. Is there objection?

There was no objection.

The statement is as follows:

Provisions of the bill relating to persons who are not eligible to become citizens of the United States by naturalization, Senate bill 3175, as prepared by the committee of the Senate, per Senator DILLINGHAM, the bill originally containing the following provisions:

1. In lines 15 to 25, both inclusive, page 11, and lines 1 to 5, page 12, are the following:

"Persons who are not eligible to become citizens of the United States by naturalization. This provision, however, shall not apply to persons of the following status or occupations: Government officers, ministers or religious teachers, missionaries, lawyers, physicians, chemists, engineers, teachers, students, authors, editors, journalists, merchants, bankers, capitalists, and travelers for curiosity or pleasure, nor to their legal wives or their children under 16 years of age who shall accompany them or who subsequently may apply for admission to the United States; but such persons or their legal wives or foreign-born children who fail to maintain in the United States a status or occupation placing them within the accepted classes shall be deemed to be in the United States contrary to law and shall be subject to deportation as provided in section 20 of this act."

2. On August 7, 1911, Senate 3175, a bill to regulate the immigration of aliens into and the residence of aliens in the United States, was introduced by Senator DILLINGHAM, read twice, and referred to the Committee on Immigration. This bill as thus introduced contained the following provisions, which will be found in lines 20 to 25, page 7, and lines 1 to 10, page 8, under section 3, as follows:

"Persons who are not eligible to become citizens of the United States by naturalization. This provision, however, shall not apply to persons of the following status or occupations: Government officers, ministers or religious teachers, missionaries, lawyers, physicians, chemists, engineers, teachers, students, authors, editors, journalists, merchants, bankers, capitalists, and travelers for curiosity or pleasure, nor to their legal wives or their children under 16 years of age who shall accompany them or who subsequently may apply for admission to the United States; but such persons or their legal wives or foreign-born children who fail to maintain in the United States a status or occupation placing them within the accepted classes shall be deemed to be in the United States contrary to law and shall be subject to deportation as provided in section 20 of this act."

3. On January 18, 1912, the bill was reported by Mr. LODGE, calendar No. 190, which contains the following provisions therein in section 3, lines 2 to 20, page 8 thereof, as follows:

"Persons who are not eligible to become citizens of the United States by naturalization. The foregoing provision, however, shall not apply to persons of the following status or occupations: Government officers, ministers or religious teachers, missionaries, lawyers, physicians, chemists, engineers, teachers, students, authors, editors, journalists, merchants, bankers, capitalists, and travelers for curiosity or pleasure, nor to their legal wives or their children under 16 years of age who shall accompany them or who subsequently may apply for admission to the United States, but such persons or their legal wives or foreign-born children who fail to maintain in the United States a status or occupation placing them within the excepted classes, shall be deemed to be in the United States contrary to law, and shall be subject to deportation as provided in section 20 of this act."

4. On February 14, 1912, Senate bill 3175 was recommitted to the Committee on Immigration and reported the same day by Mr. LODGE from the committee. In section 3, on lines 1 to 21, page 8, will be found the following, namely:

"Persons who are not eligible to become citizens of the United States by naturalization, unless otherwise provided for by treaties, conventions, or by agreements or passports. The foregoing provision,

however, shall not apply to persons of the following status or occupations: Government officers, ministers or religious teachers, missionaries, lawyers, physicians, chemists, engineers, teachers, students, authors, editors, journalists, merchants, bankers, capitalists, and travelers for curiosity and pleasure, nor to their legal wives or their children under 16 years of age who shall accompany them or who subsequently may apply for admission to the United States, but such persons or their legal wives or foreign-born children who fail to maintain in the United States a status or occupation placing them within the excepted classes, shall be deemed to be in the United States contrary to law, and shall be subject to deportation as provided in section 20 of this act."

5. On April 15, 1912, Senate bill 3175, was ordered printed by the Senate, which was done, and in section 3, lines 11 to 25, page 8, and lines 1 to 6, page 9, it contains the following, namely:

"Persons who are not eligible to become citizens of the United States by naturalization, unless otherwise excluded by existing agreements as to passports, or by treaties, conventions, or agreements that may hereafter be entered into. The two provisions next foregoing, however, shall not apply to persons of the following status or occupations: Government officers, ministers or religious teachers, missionaries, lawyers, physicians, chemists, engineers, teachers, students, authors, editors, journalists, merchants, bankers, capitalists, and travelers for curiosity or pleasure, nor to their legal wives or their children under 16 years of age who shall accompany them or who subsequently may apply for admission to the United States, but such persons or their legal wives or foreign-born children who fail to maintain in the United States a status or occupation placing them within the excepted classes, shall be deemed to be in the United States contrary to law, and shall be subject to deportation as provided in section 20 of this act."

6. On April 19, 1912, Senate bill 3175 passed the Senate, and in section 3, lines 7 to 25, page 8, contains the following, namely:

"Persons who are not eligible to become citizens of the United States by naturalization, unless otherwise provided for by existing agreements as to passports, or by treaties, conventions, or agreements that may hereafter be entered into. The two provisions next foregoing, however, shall not apply to persons of the following status or occupations: Government officers, ministers or religious teachers, missionaries, lawyers, physicians, chemists, engineers, teachers, students, authors, editors, journalists, merchants, bankers, and travelers for curiosity or pleasure, nor to their legal wives or their children under 16 years of age who shall accompany them or who subsequently may apply for admission to the United States, but such persons or their legal wives or foreign-born children who fail to maintain in the United States a status or occupation placing them within the excepted classes shall be deemed to be in the United States contrary to law and shall be subject to deportation as provided in section 20 of this act."

7. On April 20, 1912, Senate bill 3175 was reported to the House of Representatives and referred to the Committee on Immigration and Naturalization and contained the same provisions identical with that specified above.

8. On June 7, 1912, the Committee on Immigration and Naturalization of the House reported Senate bill 3175, striking out all after the enacting clause and inserting in substance what is known as the Burnett bill.

9. Senate bill 3175 passed the House of Representatives on the 18th day of December, 1912, which adopted the Burnett amendment which struck out all of the Dillingham bill after the enacting clause and substituted the Burnett bill therefor, which substitute is as follows:

"That after four months from the approval of this act, in addition to the aliens who are by law now excluded from admission into the United States the following persons shall also be excluded from admission thereto, to wit: All aliens over 16 years of age, physically capable of reading, who can not read the English language, or the language or dialect of some other country, including Hebrew or Yiddish: *Provided*, That any admissible alien or any alien heretofore or hereafter legally admitted or any citizen of the United States may bring in or send for his father or grandfather over 55 years of age, his wife, his mother, his grandmother, or his unmarried or widowed daughter, if otherwise admissible, whether such relative can read or not; and such relatives shall be permitted to land.

"SEC. 2. That for the purpose of ascertaining whether aliens can read or not the immigrant inspectors shall be furnished with copies of uniform slips, prepared under the direction of the Secretary of Commerce and Labor, each containing not less than 30 nor more than 40 words in ordinary use, printed in plain type in the various languages and dialects of immigrants. Each alien may designate the particular language or dialect in which he desires the examination to be made, and shall be required to read the words printed on the slip in such language or dialect. No two aliens coming in the same vessel or other vehicle of carriage or transportation shall be tested with the same slip.

"SEC. 3. That the following classes of persons shall be exempt from the operation of this act, to wit: (*a*) All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Commerce and Labor that they are seeking admission to the United States solely for the purpose of escaping from religious persecution; (*b*) all aliens in transit through the United States; (*c*) all aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory.

"SEC. 4. That an alien refused admission to the United States under the provisions of this act shall be sent back to the country whence he came in the manner provided by section 19 of 'An act to regulate the immigration of aliens into the United States,' approved February 20, 1907."

10. There were three conference reports filed from the conferees. The first was Report No. 1340, presented January 16, 1913, which report contained the following provision on pages 3 and 4 thereof, as follows: "Persons who can not become eligible, under existing law, to become citizens of the United States by naturalization, unless otherwise provided for by existing agreements as to passports, or by treaties, conventions, or agreements that may hereafter be entered into. The provision next foregoing, however, shall not apply to persons of the following status or occupations: Government officers, ministers or religious teachers, missionaries, lawyers, physicians, chemists, engineers, teachers, students, authors, editors, journalists, merchants, bankers, and travelers for curiosity or pleasure, nor to their legal wives or their children under 16 years of age who shall accompany them or who subsequently may apply for admission to the United States, but such persons or their legal wives or foreign-born children who fail to maintain in the United States a status or occupation placing them within the excepted classes shall be deemed to be in the United States contrary to law, and shall be subject to deportation as provided in section 19 of this act."

11. The second report of the conferees was filed January 23, 1913, Report No. 1378, to accompany S. 3175, which conference report, No. 1378, on pages 3 and 4 thereof, contained the following, namely:

"Persons who can not become eligible, under existing law, to become citizens of the United States by naturalization, unless otherwise provided for by existing agreements as to passports, or by treaties, conventions, or agreements that may hereafter be entered into. The provision next foregoing, however, shall not apply to persons of the following status or occupations: Government officers, ministers or religious teachers, missionaries, lawyers, physicians, chemists, engineers, teachers, students, authors, editors, journalists, merchants, bankers, and travelers for curiosity or pleasure, nor to their legal wives or their children under 16 years of age who shall accompany them or who subsequently may apply for admission to the United States, but such persons or their legal wives or foreign-born children who fail to maintain in the United States a status or occupation placing them within the excepted classes shall be deemed to be in the United States contrary to law, and shall be subject to deportation as provided in section 19 of this act.

12. The third report of the conferees on Senate bill 3175 was presented January 28, 1913, and is No. 1410, and on pages 3 and 4 thereof contains the following, namely:

"Persons who can not become eligible, under existing law, to become citizens of the United States by naturalization, unless otherwise provided for by existing agreements as to passports, or by treaties, conventions, or agreements that may hereafter be entered into. The provision next foregoing, however, shall not apply to persons of the following status or occupations: Government officers, ministers or religious teachers, missionaries, lawyers, physicians, chemists, engineers, teachers, students, authors, editors, journalists, merchants, bankers, and travelers for curiosity or pleasure, nor to their legal wives or their children under 16 years of age who shall accompany them or who subsequently may apply for admission to the United States, but such persons or their legal wives or foreign-born children who fail to maintain in the United States a status or occupation placing them within the excepted classes shall be deemed to be in the United States contrary to law, and shall be subject to deportation as provided in section 19 of this act."

It will be seen from the above that in substance the provisions above referred to have been carried out in the preparation and introduction of the Dillingham bill, S. 3175, through its preparation and progress in the Senate and in the House and from the conferees practically the same. In other words, no change was made by the conferees of the original provisions as it actually passed the Senate.

Mr. RAKER. Mr. Speaker, the real object and intent and the promise was that there should be real exclusion of Asiatic laborers. This bill is not within the terms of the promise, and the gentleman's agreement is not within the purview of the Constitution, that the President of the United States should agree with a foreign power that a foreign magistrate should designate the qualifications of men who should come to this country. If the committee desire to have a real illiteracy test, so far as it applies to the Hindus and to those others of Asia, they should have placed in that conference the amendment offered in relation to excluding those who are unable to read any European language, the same as is the law now in Cape Colony and Australia. It then would have been effective, and it would not have been this provision, which simply leaves it not to the Government of the United States to determine but to some foreign prince or governor, or whatever may be his title, to determine whom he shall allow to come to this country. Instead of having a real exclusion bill, which will exclude those who should not become a part and parcel of the country, we have this bill, which will exclude a few, but it does not cover the idea of those in the West, who have been believing that this Congress would give them a real exclusion bill, as they have been demanding for so many years and as has been actually promised. While I shall vote for this conference report, it is not my idea as to what the law should be.

So far as the Chinese are concerned, in respect to the question of illiteracy, there are only 6 per cent of Chinese who can not read and write who have come to this country, and but a small percentage of the others; so, as a matter of fact, the real purpose of the bill is not accomplished. It tends somewhat in that direction, but I do not believe the people should be dealt with in a way to leave any question about the matter when the provisions of the bill can be made so plain and so clear in its language as to carry out the real desire of the public—entire exclusion of all Asiatic laborers.

SENATE BILL 3175 AS IT RELATES TO CHINESE IMMIGRATION.

Senate bill 3175, as prepared by the committee of the Senate, per Senator DILLINGHAM, upon the subject of Chinese immigration, contained the following provisions:

1. On page 70, lines 2 to 6, is as follows:

"All laws relating to the exclusion of Chinese persons or persons of Chinese descent, except such provisions thereof as may relate to the naturalization of aliens, and all other acts and parts of acts inconsistent with this act, are hereby repealed on and after the taking effect of this act."

2. Senate bill 3175, as introduced on August 7, 1911, in the Senate, contained the following provision, found on page 55, lines 21 to 23:

"All laws relating to the exclusion of Chinese persons or persons of Chinese descent, except such provisions thereof as may relate to the naturalization of aliens, and all other acts and parts of acts inconsistent with this act, are hereby repealed on and after the taking effect of this act."

3. Senate bill 3175, as introduced on January 18, 1912, reported by Mr. LODGE with amendments, in lines 11 to 17, page 62, contained the same provisions as above specified.

4. Senate bill 3175, reported on February 14, 1912, was on the same day recommitted to the Committee on Immigration, and was on the same day reported by Mr. LODGE with amendments, and the same pro-

visions as above specified were contained in the bill, lines 11 to 17, page 62.

5. Said bill was, on April 15, 1910, ordered to be reprinted as amended, and the following provisions are found therein. Lines 8 to 11, page 8, contain the following:

"Chinese persons or persons of Chinese descent, whether subjects of China or subjects or citizens of any other country foreign to the United States." And on page 63, lines 17 to 23 thereof, is found the following: "All laws relating to the exclusion of Chinese persons or persons of Chinese descent, except such provisions thereof as may relate to the naturalization of aliens, and except as provided in section 3 of this act; and all other acts are hereby repealed on and after the taking effect of this act."

6. On April 19, 1912, Senate bill 3175 passed the Senate and was reported to the House on April 20, 1912, which contained the following provisions, lines 5 to 7, on page 8, as follows:

"Chinese persons or persons of Chinese descent, whether subjects of China or subjects or citizens of any other country foreign to the United States." And on lines 19 to 24, page 57, is found the following provisions: "All laws relating to the exclusion of Chinese persons or persons of Chinese descent, except such provisions thereof as may relate to the naturalization of aliens, excepting as provided in section 3 of this act, are hereby repealed on and after the taking effect of this act."

7. The bill was considered by the House Committee on Immigration and Naturalization and reported to the House on June 9, 1910, which struck out all of the bill except the enacting clause and inserted what is known as the Burnett amendment, which is found on pages 58, 59, and 60 of the bill thus reported.

8. S. 3175 went to conference, and the first conference report (No. 1340) in substance adopted the Dillingham bill as it passed the Senate, with the Burnett amendment as it passed the House, and on page 24 contains the following provision:

"*Provided*, That this act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent."

9. The second conference report (No. 1378) of the conference on S. 3175 contained the same provisions as specified in conference report No. 1340, in so far as it relates to Chinese immigration.

10. Conference report No. 1410, the report of January 28, 1913, to the House contained the same provisions relative to Chinese immigration as the first and second reports of the conference committee of both Houses.

Had the bill as passed the Senate become the law, the Chinese-exclusion bill would undoubtedly have been repealed. With the provisions of section 3 of the bill stricken out and the provision of the conference reports included as last above set out, the Chinese-exclusion law will still remain in full force and effect.

With the enactment of H. R. 13500 this repeal question would be fully and finally settled as it ought and should be. Without doubt this bill, H. R. 13500, will be enacted into law in the near future. It will make exclusion of all Asiatic laborers effective and provide proper machinery for its full enforcement.

The SPEAKER. The time of the gentleman from California has expired.

By unanimous consent, Mr. RAKER was granted leave to extend his remarks in the RECORD.

Mr. GOLDFOGLE. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, it is said that the third time is a charm—three times and out. This is the third conference report on this bill. It is to be hoped that if it passes the House it will also pass the scrutiny of the conferees who have made it, and also of the Senate. I believe the conferees who have made the report have agreed substantially that the two former reports need to be corrected. It is an illustration of the effect of the rule which was adopted by the House.

The Senate passed an immigration bill consisting of nearly 60 pages, with a great many sections in it. The House committee reported that bill to the House with the recommendation that all the bill after the enacting clause be stricken out and one section be inserted, which was a part of one section of the original Senate bill with some changes in it. If the House had had an opportunity to consider the original Senate bill, section by section, these various changes which have been made in the conference report, one after another, would probably never have had to be made in the conference report, because they would have been called to the attention of the conferees. But under this method of legislation the matter is not brought up before the House, and evidently gentlemen who represent the House are not familiar with the provisions of the Senate bill, and have agreed to propositions in conference which subsequently they have come in and proposed to change. In the second conference report there was inserted a provision consisting of a description of an alien which was not in the first conference, and in the third conference report that description is left out, leaving it as it was in the first conference report, and they have inserted an item in some other place in the bill.

No one can expect that we will secure perfect legislation by putting through the House a Senate bill with many sections in it, 50 or 60 pages long, without any consideration by the House, leaving it wholly to the conferees to write the bill. We have heard a great deal at different times about the decadence of the power of the House as one of the coordinate branches of Congress. There is nothing which tends to bring on such decadence or to prove that such decadence exists so much as this method of legislation.

We ought to have considered the provisions in the Senate bill; there ought to have been opportunity in the House for Members to discuss the provisions in the Senate bill, and then we would not have had three conference reports, nor would we be called upon, as we will be called upon, to enact measures in the future to correct many of the errors now in this conference report, provisions which would not be in the law if the House had had the opportunity to consider it. A bill that passed the Senate practically with little discussion, passed the House without any discussion or consideration of most of the provisions in it, can not expect to be a very perfect measure. [Applause.]

Mr. GOLDFOGLE. Mr. Speaker, I yield four minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. BURNETT. Mr. Speaker, one minute, if the gentleman will yield to me to use some of my time now.

Mr. GOLDFOGLE. Certainly, with Mr. MOORE'S consent.

Mr. BURNETT. Mr. Speaker, I yield three minutes to the gentleman from Massachusetts [Mr. GARDNER].

Mr. GARDNER of Massachusetts. Mr. Speaker, the gentleman from Illinois [Mr. MANN] is quite right in calling the attention of the House to the singular fact that for the third time this conference report is under consideration. He is wrong, however, in attributing this phenomenon to the rule under which this bill was originally considered. The truth is, Mr. Speaker, that the situation in which we find ourselves is a noteworthy illustration of the evils of filibustering. Had gentlemen last summer refrained from filibustering against the call of the Committee on Immigration on Calendar Wednesday, the conferees would have had all these matters fresh in their minds. Had not the desire existed to postpone action until after election, it would not have proved necessary to bring this report three times before the House. Now, to speak seriously for a moment, I think the gentleman is wrong in supposing that there will be a great deal of legislation required to correct the mistakes in this conference report.

The fact is that this bill has been under the scrutiny of many of the sharpest-eyed lawyers of this country, both in and out of Congress. They have discovered mistakes, which we admit, errors and contradictions which would sooner or later reveal themselves and perhaps require court interpretation. Mr. Speaker, that is true of all codifications of this sort. It occurred in the case of the last codification of the immigration law. The only difference in the situation arises from the close scrutiny to which this bill has been submitted by many able lawyers in New York and elsewhere. The mistakes have been found out before the law has been sent to the President for his signature rather than afterwards.

Mr. GOLDFOGLE. Mr. Speaker, I yield three minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Speaker, the real objection I have to this legislation arises from the insertion in it of the illiteracy test, which I believe to be un-American and an unjust restriction upon the worthy poor who desire to come to the United States, and I do strenuously object to the manner in which this legislation is brought into the House. The House itself discussed only the question of the illiteracy test, and that under very limited conditions as to time of debate. It did not discuss the so-called Dillingham bill at all. That bill, which constitutes the major portion of the legislation now proposed, originated in conference, and the House had no opportunity whatever to dissect it, to analyze it, or thoroughly consider it. The practice has arisen——

Mr. RAKER. Will the gentleman yield?

The SPEAKER. Does the gentleman from Pennsylvania yield?

Mr. MOORE of Pennsylvania. Mr. Speaker, I regret I can not yield; I have but three minutes, and I guess about a minute and a half of that is gone.

The SPEAKER. The gentleman declines to yield.

Mr. MOORE of Pennsylvania. Mr. Speaker, the practice has arisen here in recent years, surely since I have been a Member of the House, of instituting new legislation in conference. Now, what does that mean? It means that the representatives of the people, coming from various districts throughout the country, are thrown absolutely upon the mercy of a majority of six men in star chamber. In the closet, outside, wherever they may meet, they decide as to the matters we are to put through this House. The difficulty with this conference report is that it has not been considered as it ought to be by a deliberative body; it has been considered only in star chamber and has been rushed through the House on each occasion that it has appeared here. In the present instance it comes back because

certain errors or imperfections were found in the bill upon the other side of the House where they had a chance to consider it, but we are supposed to rush it through here in 40 minutes without again having an opportunity to consider the merits of the vital questions involved. Whose judgment are we to take in matters of this kind? Are we to respond to the wishes of the people who send us here, or are we to yield in the last analysis to the six men, in this instance five men, who constitute the conferees and who prepared this report and brought it into the House?

The SPEAKER. The time of the gentleman has expired.

Mr. GOLDFOGLE. Will the gentleman from Alabama [Mr. BURNETT] use some of his time?

Mr. BURNETT. How much time have we?

The SPEAKER. The gentleman from Alabama has seven minutes left.

Mr. BURNETT. I have no further request for time.

Mr. GOLDFOGLE. I now yield three minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER. Mr. Speaker, when this 24-page conference report on the immigration bill, comprising 38 sections, came up first on the 17th of this month, I read my copy of it from the beginning until I reached section 3, which names the classes of aliens who could not be allowed to enter this country, and found that among those who were to be excluded would be—

Citizens or subjects of any country that issues penal certificates or certificates of character who do not produce to the immigration officials such a certificate.

I read no further, but with a lead pencil underscored the words I have just read, and pointing them out to several Members in my vicinity announced that it was immaterial what the rest of the report might be, those words were sufficient for me, and that I should vote against it. I have in my hand the copy I had that day.

The report passed the House and went to the Senate, but came back here a few days ago, with a request for another conference, which was granted. To-day we are considering the third conference report.

The reason for having a third conference is found in the statement of the Senator who asked for it. He declared in the Senate, on January 23, that it had been discovered after examination that the provisions of the report as adopted by the House were so transposed as to nullify the deportation clause in the cases of the white-slave traffic and also in cases of disease or crime—in other words, that the House had in effect voted to repeal the clause of the law under which we now send back criminals, diseased persons, and managers of the infamous traffic in white slaves.

That report was rushed through here too rapidly for proper consideration. Mr. Speaker, the haste with which the House of Representatives too often attempts to enact legislation of importance is altogether wrong. There ought to be deliberation and opportunity for the study of an important conference report in order to enable each Member of the House for himself to decide whether it does or does not appeal to his judgment as being worthy of support. But we have no such opportunity when a report of 24 pages is brought in and passed after a debate of only a few minutes on a side. For years I have been protesting against that sort of thing, and I shall continue so to protest while I am honored by a seat in this Chamber.

Mr. GOLDFOGLE. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Speaker, I can only say, in connection with what I have already said about this bill now before the House, that I believe that this proposition to restrict immigration is un-American, that it is unwise, and unfair. And the very fact that this bill has been before this House three times shows conclusively that in its original form and as it passed on two former occasions it was ill considered, that it was not proper legislation, and that the other body in the other end of the Capitol would not agree to the bill as passed. And I mistake the times and public opinion in this country considerably if there is not a protest from one end of the country to the other against this class of legislation. I do not believe that conditions in this country warrant it. I do not believe that conditions confronting the American people require any such legislation. In fact, I know if this law goes into force you will hear a howl from one end of this broad land to the other against such a bill, because the business interests, conditions in the farming communities, and the necessity in this country for the class of labor you propose to exclude will be such that everybody voting for it will hear as a result of that vote a protest against this class of legislation.

I do not wish to be misunderstood in the attitude I assume with relation to the immigration question. I will concede that the laws affecting immigration are not perfect. Evils do result from their enforcement and application. But the committee having this legislation in charge failed entirely in recognizing the real weakness of the whole scheme of immigrant legislation. The evils flowing from our immigration laws require for their correction not restrictive, repressive, or prohibitive laws, but, on the contrary, laws that will provide for the proper distribution of the immigrants in order to avoid congestion in our large cities and in order that assimilation can be more effectively accomplished and the country generally benefited by this immigration.

These reforms can not be effected by the application of the literacy test. The western and southern sections of the country require an influx of white settlers for the development of their vast natural resources, which for lack of such labor are in a deplorable condition of stagnation. And it is astonishing in the face of the existence of this necessity to find such persistent activity among the Representatives of these sections in opposition to a liberal policy affecting immigration.

You can not legislate morality into a people. Moral stamina is the result of long and gradual development under the beneficent influence of an advanced civilization. The literacy test alone will not accomplish this. The educated crook, the intellectual swindler, the confirmed anarchist, all can comply with this so-called literacy test and find admission to our shores. While the honest, hard-working, industrious, and God-fearing person suffering from conditions of illiteracy for which he is no way responsible, and under which it has been his unhappy fate to be born, would, under the operation of this test, be excluded from the blessings of our free institutions.

The fallacy and utter groundlessness of the extravagant claims made by the advocates of this test as an instrumentality in the betterment of conditions of the country socially, commercially, and politically is conclusively shown by a very strong editorial which appeared recently in the Boston Morning Herald, and which reads as follows:

ILLITERACY AND IMMIGRATION.

One honest hard-working illiterate, who lives clean and raises a decent family, is worth a hundred of the inefficients our schools turn out annually, who can read and write, but who are too fine to work and who are utterly useless in the civilization they live in. We place too high an estimate upon mere literacy; but if we paid more attention to teaching children that morality which comprehends respect for parents and law and the necessity of earning bread by the sweat of their face, we would not be troubled so much with the envy and discontent which are the outgrowth of laziness and inefficiency.

The literacy test for the exclusion of immigrants is the sheerest humbug; had such a law been in force since the early seventeenth century America would still be a howling wilderness. The American troubles of the twentieth century are not the fruits of illiteracy and immigration; they are made right here on the soil by those born on the soil, by the lazy, the inefficient, the envious, the unsuccessful—all the products of our public schools. Go to your prisons sometime and learn how many of the inmates are illiterates. When literacy has become a synonym for sanity, honesty, industry, and physical soundness it will be time enough to make illiteracy a barrier for admission to the Republic. I would rather have an illiterate who can steer a plow, wield a sledge, roof a house, lay brick, or dig a good sewer than a dozen half-baked chaps who can write dog and read cat and who are willing to live on the labor of a father and mother. Let Congress face the question fairly and let the Government back up the immigration authorities in enforcing the laws we have. The illiterate test is pure punk, just plain flapdoodle. (Boston (Mass.) Morning Herald, June 3, 1912.)

The greatest danger to our country and its standards comes not from without but from within. Every immigrant coming to our shores comes with the love of freedom in his heart to improve his condition and to enjoy the blessings of liberty and free government. We should welcome him not as a subject of suspicion but as a prospective citizen worthy of our confidence and encouragement. The love of liberty in the American heart has been its most priceless treasure, bestowed in a spirit of patriotism and nationality, and let its benign influence pervade the native and the immigrant alike, leading all in one common aspiration to higher, nobler, and grander ideals of national greatness.

The SPEAKER. The gentleman from New York [Mr. GOLDFOGLE] has eight minutes and the gentleman from Alabama [Mr. BURNETT] seven minutes remaining.

Mr. GOLDFOGLE. Mr. Speaker, I have so often expressed, during the several debates we have had on immigration, my opposition to the literacy test that I shall not attempt now to reiterate what I have heretofore said.

But I do wish to call the attention of the House particularly this morning to the fact that while, under this bill, a daughter who may be illiterate can come in with her parents or follow her parents and join them here, a son, say, a few days over 16 years of age who may be illiterate within the meaning of the bill will be kept out. Thus there will be worked a separation of the family. Would any gentleman in this House, with kindness in his heart and fairness in his mind, be willing to have

such a condition? Such a separation, in my opinion, is a cruelty which ought not to find place in American legislation.

It was asserted in the other body, at the other end of the Capitol, that such a hardship as I indicated just now would be worked under the bill if it is enacted into law. I can not conceive of a greater hardship—nay, of a greater inhuman act—to a father or mother than to be compelled to leave behind him or her their boy who has been, under the laws of the foreign country, unfortunately denied opportunity for education; a boy, say, but a few days over 16 years, is to be excluded, while the rest of the family, females, may be admitted. Yet if this bill becomes a law such would be the deplorable situation in many and many a case.

While some gentlemen on the Committee on Immigration of this House have talked so much about their desire not to allow unnecessary separation of families and have professed in words deep solicitude for keeping families together as a matter of common humanity, yet some of these same gentlemen—two of them members of the conference committee—would work the hardship that I have pointed out.

The illiteracy test, as has been so often stated, and as we reiterate this morning, is neither a test of fitness nor of character. The conditions of the country do not require that such test shall be imposed. I am willing to go any length that can be devised by any man in this House to keep out the criminal, the evil-minded, the vicious, the pauper, and the insane. I would not allow any of that class to come within the United States, nor would I give them one single inch of ground to dwell on. But the healthy in mind and in body, those who are capable of self-support, those who come here willing to abide in peace and within the law amongst us and aid by their contribution of mind and thrift and energy to the proper upbuilding of the communities in which they would dwell and who are otherwise admissible under the provisions of existing law I would not forbid entrance to our land.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield to me for one question?

The SPEAKER. Does the gentleman yield?

Mr. GOLDFOGLE. For a question; certainly.

Mr. MOORE of Pennsylvania. Is it not a fact, frequently stated during this controversy, that anarchists, murderers, criminals, the insane, and otherwise undesirable are already excluded by existing law?

Mr. GOLDFOGLE. Yes; and if we enforce the existing law as it was intended it should be enforced, you will have ample protection to the country. If we need more legislation to keep out anyone that is evil-minded, vicious, or criminal, I stand here ready to vote for such legislation. But I would not pass such legislation as is now proposed, which is un-American in principle, may operate harshly, and is unnecessary and uncalled for by the existing conditions of the country. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. BURNETT. Mr. Speaker, I will reply to the criticisms of the gentleman from California [Mr. RAKER] of the provision that he objected to on account of its not being broad enough. I will say that among those excluded are persons who can not become eligible under existing law to become citizens of the United States by naturalization unless otherwise provided by existing agreements as to passports, or by treaties, conventions, and so forth.

As I understand, the objection of the gentleman is because it does not go far enough by making exceptions of those who come in under passport agreements, and because he says the Japanese coolies are not being kept out. That clause is for the purpose of keeping out the Hindus, who are coming in and becoming a menace to the West.

I want to call attention to the fact that more Japanese are to-day going out than are coming into the United States. During the fiscal year ending June 30, 1910, 2,508 Japanese were admitted and 5,204 departed, making 2,426 more who went out than came in. During the fiscal year ending June 30, 1911, there were 4,282 who came in and 5,869 who went out, making 1,487 more who went out than came in. That passport law is being enforced. The Japanese are being kept out, and the purpose of this bill was to keep out new immigration that is coming in on the Pacific coast.

Mr. Speaker, in regard to the protest that gentlemen have made against adopting conference reports of this kind, the same argument might be made against any conference report.

I have never heard the gentleman from Pennsylvania [Mr. MOORE], who is always on his feet when river and harbor appropriations are coming in, make any protest that river and harbor bills contain hundreds of items frequently that are put in by conference committees. Other gentlemen who have protested to-day have sat here dumb as oysters when conference reports involving millions of dollars have been involved. And yet when we get this immigration bill here they make a great outcry about the little consideration given to conference reports, and it seems to me they make this protest for the purpose of squaring themselves with somebody.

Mr. Speaker, my good friend, the gentleman from New York [Mr. GOLDFOGLE], standing like Father Abraham, at least in splendid physical appearance if in nothing else, a grand patriarch of his people and of his party, has shed crocodile tears here over the boy 16½ years old who might be excluded. We had to draw the line somewhere, Mr. Speaker. He says there would be a separation of families. Yet where the father or the mother can read, is it probable that the boy who is past 16 years of age would not himself learn to read?

Mr. GOLDFOGLE. Is it not a fact that the father, if he be over the age specified in the bill, may come in, though he be illiterate?

Mr. BURNETT. The father, if he is 55 years old, may come in, although he may be illiterate.

Mr. GOLDFOGLE. And then the boy could be kept out if he is 16¼ years old.

Mr. BURNETT. Possibly there might be a few isolated cases of that kind, but a man over 55 years of age ought not to have any children as young as 16. [Laughter.]

Mr. GOLDFOGLE. Does the gentleman think men ordinarily stop becoming fathers after they are 39?

Mr. BURNETT. I am just past 55 a few years, and I became a grandfather day before yesterday. [Applause.]

But seriously this was the reason why we had to draw some kind of a line. The Immigration Commission in making their report stated that one of the main reasons that induced them to recommend the illiteracy test was because too much unskilled labor is coming to this country. Now, the boy from Europe coming over here, who is over 16 years of age, is of that age when he comes in competition with unskilled labor. The unmarried or widowed daughter is let in for the purpose of encouraging the bringing in of wives and daughters. Many of these undesirables do not bring their families, and we wanted to encourage the women to come; and for the further reason, that we believe the widowed or single daughter is more likely to be a dependent of the father than is the boy who is between 16 and 21 years of age.

Gentlemen like the gentleman from Pennsylvania [Mr. MOORE] inveigh against the danger of legislation by conference committees, and yet every one of them admits that there are many wise provisions in the conference report, and each time come back with their principal attack on the illiteracy test, just as they have been doing for years.

They pretend that it is an attack on all foreigners, and yet they—every one—know that the Jews and the people from northwestern Europe will not be affected by it. Many intelligent foreigners refuse to make themselves parties to any such fallacies and repudiate the men who advance them.

I give the following example, printed in the Brooklyn Daily Eagle of December 12, 1912:

WOULD STIFFEN SULZER ON ILLITERACY BILL—MR. DWYER FEARS CONGRESSMAN IS AGAINST MEASURE.

Following is a copy of a letter sent to Governor Elect Sulzer by Edward Dwyer, of Bay Ridge:

DEAR SIR: I have been rather surprised to notice statements in the columns of the daily papers to the effect that you were opposed to the enactment into law of Senate bill No. 3175, drawn up by Mr. DILLINGHAM, which provides an illiteracy test for immigrants desiring to land on our shores. Inasmuch as this bill was passed by the Senate last April, and it is a well-known fact that the leaders of the Democratic House of Representatives agreed to have it considered in December, it seems odd to other members of the organization with which I am connected, as well as myself, that you should be so active in opposing a measure that is needed to protect the American workingman.

As a supporter of the Democratic Party in the Nation and State, I had imagined that there could not be any of the leaders who would take the stand the newspaper reports indicate that you have taken. During the campaign just ended you never referred to this immigration question, and if it was even hinted that you were opposed to restrictive legislation it would have cost you many votes, and your stand would seriously injure your chances for reelection two years hence.

The American people, native as well as foreign born, are becoming thoroughly aroused over the lax immigration laws that permit tens of thousands of undesirables to enter this country annually, a class which does not understand, nor care to learn, anything concerning American institutions. They are willing to labor for a wage that no American citizen can exist on. These people are content to live on filth, can keep body and soul together on the sort of food that would soon kill off the native-born American, the Irishman, German, Englishman, or Scandinavian.

What we are entitled to in this great country is a chance to live decently, to rear our children up good Americans, and to be enabled to save a little money for the rainy day. How can we carry out this program when in every occupation of life we have to compete with foreigners whose only aim is to gather enough money to bring them back to their native land and to live in ease for some time?

It has been shown, as you well know, that almost 40 per cent of the immigrants arriving here annually leave the country. Speak to men who have worked for large railroads and they will tell you of the same crowd of foreigners that they have observed, working for a few

months on a railroad, returning to Europe with the money earned, and repeating the thing every year. A large percentage of those who stay are not a credit to any land. In New York State the undesirable foreigners form 40 per cent of the population of our jails and insane asylums.

Think of the tax all of this means on our citizens. The attempt of the foreign steamship companies, their paid attorneys, and the corrupt press to raise the cry of religious bigotry and racial animosity in order to injure the cause of immigration restriction has failed.

This is a question that affects every American no matter where he was born. It is a fight for existence. The clinching argument in favor of the adoption of the illiteracy test is the report of the Congressional Immigration Commission, which declared that many undeniably undesirable persons enter every year. There is a growing criminal class in this country, due to foreign immigration.

Organized labor has demanded restrictive legislation, resolutions have been adopted time and again by the labor unions, and the leaders like John Mitchell and Samuel Gompers have repeatedly spoken out against the admission of so many undesirables.

You are a friend of organized labor, even though it has been alleged that you were reported absent or not voting on many measures that came up in the last session of Congress. I am not inclined to believe the press reports that you are opposed to the illiteracy test, and on behalf of others, as well as myself, I urge you to vote for and secure other votes for the measure.

Yours, truly,

EDWARD DWYER,
336 Seventy-eighth Street.

BROOKLYN, N. Y., *December 10, 1912.*

Those who would open our ports to the scum of Europe quote President Charles W. Eliot as being opposed to restriction, and yet the following from the New York Times of February 1, 1913, shows that Dr. Eliot would keep out the very kind that the illiteracy test would debar.

EX-PRESIDENT CHARLES W. ELIOT A RESTRICTIONIST NOW.

ELIOT WOULD BAR BACHELORS—PROPOSES IMMIGRATION LAW LIMITING ADMISSIONS TO 15 PER CENT.

BOSTON, *January 31.*

This afternoon, in discussing a bill now before the legislature which seeks to establish an immigration inspection board for Massachusetts, Dr. Eliot told a large audience at the Twentieth Century Club that the large numbers of unmarried male immigrants should be restricted to 15 per cent of the entire number of foreign-born admitted to the country.

Dr. Eliot argued against the blending of the different races, and his point taken in opposition to allowing the wholesale immigration of bachelors was in support of this argument. In taking this stand on the immigration question Dr. Eliot added his support to the plan advocated by United States Senator DILLINGHAM, of Vermont, chairman of the Senate Immigration Committee, who said it would be a good thing for the Nation to rule that only married men accompanied by their families should enter the country as immigrants.

The great metropolitan press of the country is becoming alarmed over the conditions growing out of the tremendous influx of illiterates from foreign shores. I will read a few:

[From the New York Sun, June 27, 1912.]

When we remember the sources of a very large proportion—almost the bulk—of our great immigration in recent years the reason for the difficulties created thereby are easy to see. These droves of newcomers are drawn almost entirely from eastern and southern Europe, and it comes practically to this, that the illiteracy of those nations is transported to America in shipload lots, and that however broad the spaces in this country and however great the opportunities of betterment for everybody, congestion and clogging of all usual or even extraordinary provisions for education and general Americanization of the illiterate and variously defective immigrants must result, at least temporarily, in the cities and States where they come and stay in such large numbers. The reasonableness of placing some check upon such an obviously intolerable abuse of a welcome to these shores is evident enough; blind opposition to any such measures must provoke reasonable resentment and proper measures of self-protection.

[From the Saturday Evening Post, May 18, 1912.]

ILLITERATE IMMIGRANTS.

Since the Spanish-American War we have received two and a quarter million immigrants who were unable to read or write in any language, nearly all of whom undoubtedly were unable to speak English. Their only means of communication was the spoken word in their mother tongue. Naturally these immigrants tend to congregate in foreign-speaking, foreign-thinking communities. Wholly dependent for information upon a fellow countryman's word of mouth, they are especially liable to exploitation.

Illiteracy shuts them out from most opportunities for bettering their condition. Inevitably they work for the lowest pay; and, coming in such great numbers, there is no doubt they tend to depress the general level of wages in the industries they enter.

It is quite true, as urged by those who oppose a literary test in our immigration laws, that character is more important than education; but the point has no practical relevancy, because it is plainly impossible to frame any statutory test for character. If there is to be any restriction upon immigration it should bar out the least desirable; and no candid person will deny that, by and large, the illiterate immigrant is less desirable than the literate. His illiteracy raises a strong presumption that he has been badly conditioned socially and politically. It handicaps him tremendously in comprehending American conditions and purposes.

We shall, as a matter of course, bar known criminals, the insane, and paupers. If there is to be any finer discrimination as regards immigration from European countries the literacy test ought to be adopted.

The following from the Cincinnati Time-Star—Hon. Charles Taft's paper—of December 26, 1912, speaks earnestly on the subject:

CONGRESS AND IMMIGRATION.

The country has noted with rather less interest than the subject deserves the effort of Congress to provide a "literacy" test for future immigration into the country.

A bill providing that no immigrant who is unable to read in some recognized language shall enter the United States hereafter has passed the House. Another bill along similar lines has passed the Senate. The two measures are now in conference and there seems to be little reason to doubt that an agreement will be reached before long.

Some newspapers have made more or less serious objection to the new immigration bills. They hold that a literacy test will not get to the bottom of the immigration problem. They hold that the country needs all the cheap labor it can get. To bar out a man because he can not read, they say, will keep out of the United States a great deal of the new bone and sinew that we need in our national make-up, at the same time allowing many useless and even dangerous persons who happen to be able to read to get into the country.

Undoubtedly there are some valid objections to a literacy test for immigrants. It may be that a better method can be devised for cutting down the present tremendous bulk of immigration into this country. However, the fact remains that the immigration question has been one of the big questions before Congress for a good many years now and nothing has been done. And this in spite of the fact that thinking men all over the country have fully realized the menace to our free institutions involved in the arrival of people without training in self-government at such a tremendous rate that not even our remarkable powers of assimilation can take care of them.

No reasonable man questions the tremendous service the immigrant has rendered this country. As a matter of fact, all of us owe our existence as Americans to the immigration of one period or another.

But the flow of new population into the United States has been very different these past 15 years from what it was before that time. Until toward the close of the nineteenth century the people who sought homes in this country were practically all of one blood, easily capable of amalgamation, and readily susceptible to the American ideals of self-government. English, Irish, Scotch, German—these may not have been brothers in blood, but they were at least first cousins.

Then came a sudden onrush of new immigrants from southern and eastern Europe. Go over the immigration list of any great liner arriving at New York nowadays, and how many English, Irish, Scotch, or German names will you find?

The proportion, of course, is very small. Practically all our immigration of to-day is made up of people from southern and eastern Europe. And at the same time that the character of the flow of population into the United States has changed the number of immigrants arriving has jumped from a hundred or two hundred thousand to nearly a million in the average year. In good times we get over a million; in bad times the number diminishes considerably, but the average is very high.

We are not saying anything against the Italians, the Russian Jews, and the other peoples who have provided the bulk of our immigration in recent years. Everybody who has rubbed up against the immigrant knows that these peoples have given some splendid citizens to this Republic. They have given some citizens of doubtful value, too, but the average, at least where the light of American institutions has had a chance to get in, has been fairly good.

But the whole matter does not rest upon a question of quality. We are getting more immigrants than we can handle, speaking not in a commercial but in a patriotic sense. We ought not to take in newcomers faster than we can educate them up to the old American ideals of self-government. It should never be forgotten that free institutions will live in this country only so long as we maintain a high average of individual character and individual intelligence.

Congress appointed a commission to go into the matter of immigration a number of years ago. This commission, made up of men admirably fitted for the work in hand, worked hard for several years. It visited most of the countries of Europe, making careful study of conditions there as well as of conditions in this country. When its report was finally made public it was seen that the commission was very strongly in favor of some positive action by the American Government toward the drastic restriction of immigration.

It is many months since that report was made. Congress can not now be accused of taking action on it hastily. The majority of the Members of the House and Senate have come to the conclusion that the most promising device for solving the immigration problem is a literacy test. If on trial this device proves a failure, we can try something else. But in the meantime something will have been done.

The cry is that we need the laborers, and yet here is what a recent number of the Gloucester Times says about that branch of the question:

THE IMMIGRATION QUESTION AGAIN.

The conference of charities and correction held in Cleveland last week has a very vigorous discussion of the immigration question, and finally by a vote expressed itself in favor of unrestricted immigration. In criticizing the conclusions of the Federal immigration commission Cyrus L. Sulzberger, of New York, said:

"The only accurate generalization made by the restrictions on the subject of immigration is that the nationality of the immigrants has changed; that whereas in former years the bulk of the immigrants came from northwestern Europe, it has lately been coming from south and eastern Europe. This is obviously true, but it is not true, as is so often asserted, that while the so-called older immigration was desirable the newer is undesirable."

And then he went on to argue that the newcomers make a better showing in regard to alcoholism, insanity, hospital costs, criminality, and various other points of statistical comparison than the settlers from northern Europe.

Let all this be granted, although it is far from being proved as yet, and the main question is by no means settled. It is not strange that immigrants should be very solicitous that others should have the same privilege which they have themselves enjoyed. And yet it remains true that there are economic reasons which make it desirable that the incoming tide should be restrained, at least for a few years. Our cities are flooded with unskilled laborers. There is not a manufacturing city of any size which does not have in it thousands for whom there is practically no work. Let a mill manager advertise for boys, and he is besieged by adults who wish to do the work and are willing to take the boy's pay. Conditions are seriously upset by such a large movement of population in this direction. There is certainly nothing unreasonable in itself and nothing unfair to other people that for a series of years we should limit somewhat the number who are allowed to come in. All other Nations find it necessary to do this. And the United States is fast finding it necessary, all charity conferences to the contrary notwithstanding.

The following is the attitude of a large number of educators, labor leaders, and financiers on this very question, and the comment of a Boston paper on it:

ATTITUDE OF LEADING EDUCATORS, LABOR LEADERS, AND FINANCIERS OF NEW ENGLAND.

To the Senate and House of Representatives of the United States:

While we are aware that there is a world-wide rise in the cost of living and that there are local causes of disturbance and distress which need correcting, we none the less believe that distressing conditions in the United States are greatly aggravated by the fact that the less skilled classes of labor are subjected to an artificial and unnecessary competition. This competition is due to the unlimited importation from numerous parts of the world of laborers often induced to come here by persons interested financially in their coming, whose controlling interest is not in the personal welfare of the immigrant or in the general welfare of our country.

We believe the evidence to be conclusive that under these conditions the maintenance of a proper American standard of living among the laboring classes of our country is impossible in this State, or in any other State subject to these same conditions. We therefore most respectfully urge that this overshadowing menace be not ignored by you, and that you relieve this situation by limiting the importation of labor to a point where the American standard of living among great bodies of laborers shall no longer be broken down.

EDUCATORS.

A. Lawrence Lowell, president Harvard University.
Richard C. Maclaurin, president Massachusetts Institute of Technology.
Henry A. Garfield, president Williams College.
T. N. Carver, professor of political economy, Harvard University.
C. J. Bullock, professor of economics, Harvard University.
O. M. W. Sprague, assistant professor of banking and finance, Harvard University.
William Z. Ripley, professor of political economy, Harvard University.
Robert A. Woods, author and leading social worker.

LABOR LEADERS.

John F. Tobin, general president of the Boot and Shoe Workers' Union.
John Golden, president United Textile Workers of America.
James Duncan, first vice president American Federation of Labor.
Arthur M. Huddell, business agent Building Trades Council.
Henry Abrahams, secretary International Cigarmakers' Union and secretary Boston Central Labor Union.

FINANCIERS.

Henry Lee Higginson, senior partner of Lee, Higginson & Co.
Alfred D. Foster, president New England Mutual Life Insurance Co.
Philip Stockton, president Old Colony Trust Co.
Francis R. Hart, vice president Old Colony Trust Co.

[Editorial from the Monitor (Christian Science), Boston, Mass., June 12, 1912.]

Massachusetts signers of a petition to Congress for restriction of immigration along lines proposed in the original Dillingham bill are of a kind that gives the document more than usual significance. The presidents of Harvard University, the Institute of Technology and Williams College, several of the most eminent economists of Harvard's faculty, and a veteran social settlement worker, Robert A. Woods, speaks for educators and investigators of social consequences of lax standards of admission, and they represent that particular element of society able to look at the issue somewhat objectively and disinterestedly. Joined with them are six representative leaders of organized labor in New England, who deprecate the lowering of standards of living and undermining of the wage scale caused by constant importation of immigrants. Last but not least there are the names of representative makers of the financial, industrial, and commercial prosperity of New England.

Filing of such a petition with such signatures is symptomatic of conditions that are forcing thoughtful Americans to consider more carefully than formerly some of the ultimate effects upon republicanism and civilization of wholesale and undiscriminate methods of increase of the foreign-born population which went on for generations unchecked. The fact that no other section of the English-speaking race has ever permitted such a process of race amalgamation as the United States has invited is beginning to be weighed for what it is worth; and Canada's present rigid testing of her would-be settlers is not without its exemplary effect on the neighboring Republic.

New England naturally is the more disturbed by the results of the past policy of laxity, because of the startling multiplication within her borders, especially in her industrial centers, of people to whom past sectional ideals do not make as strong appeal as they would were the emigrants from other lands and of other faiths. The task now being thrown upon many of the New England cities in the way of assimilation and Americanization of newcomers is greater than they are equal to. Hence the breakdowns of law and order such as were seen recently in Lawrence.

The following are resolutions of State legislatures, labor, farmer, patriotic, and other organizations on the subject; also of labor leaders and the declarations of other great thinkers and newspapers. Seventeen State legislatures have adopted memorials, of which the following is a sample:

Whereas the United States Immigration Commission, after four years' investigation and the expenditure of $1,000,000, has made a 42-volume report to Congress; and

Whereas it is being proposed that the immigration evils from which the Northeastern States are suffering be relieved by diverting and distributing the aliens now crowding into and congesting the slums, sweatshops, and city centers of the Northeast; and

Whereas the Immigration Commission clearly points out that this is the only country with any considerable net foreign immigration, our laws and administrative policy are the weakest of any new country, and that "substantial restriction is demanded by economic, moral, and social considerations," and the illiteracy test is recommended "as the most feasible single method for excluding undesirable immigration": Therefore be it

Resolved by the State Senate of Tennessee (the House concurring), That we hereby memorialize Congress to immediately enact some such illiteracy test as is recommended by the Immigration Commission, as is law in Australia, New Zealand, and other new countries, pass other needed legislation along the lines of the Immigration Commission's suggestions, and do not pass any legislation looking to the diversion and distribution of the kind of alien population that is now congesting the northeastern cities and causing so many evils there: And be it further

Resolved, That a certified copy of this resolution be sent by the secretary of the senate at once to the President of the United States, to our two United States Senators, and each of our Representatives at Washington, D. C., with the request that it be presented to Congress and properly referred.

Adopted February 7, 1911.

N. BAXTER, Jr.,
Speaker of the Senate.
A. M. LEACH,
Speaker of the House of Representatives.

Approved February 9, 1911.

BEN W. HOOPER, *Governor.*

I, W. D. Scruggs, chief clerk of the senate, hereby certify that this is a true and correct copy of senate joint resolution No. 27, adopted February 7, 1911.

W. D. SCRUGGS,
Chief Clerk of the Senate.

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FARMERS' EDUCATIONAL AND
COOPERATIVE UNION OF AMERICA,
OFFICE OF SECRETARY TREASURER,
Rogers, Ark., November 28, 1912.

HONORED SIR: In keeping with instructions of the National Farmers' Union in annual session at Chattanooga, Tenn., September 3, 4, and 5, I have the honor to submit herewith a resolution recommended in the report of the committee on immigration and adopted unanimously by the convention.

Respectfully, yours,
[SEAL.] A. C. DAVIS, *Secretary-Treasurer.*

Resolution offered by the committee on immigration.

Whereas the Immigration Commission has reported recommending the very legislation long urged and advocated by this organization and its vast membership scattered throughout 28 States; and

Whereas a bill, S. 3175, containing this legislation passed the Senate April 19, 1912, and has been before the House since: Therefore be it

Resolved by the Farmers' Educational and Cooperative Union of America in eighth national convention at Chattanooga, Tenn., this 5th day of September 1912, That we indorse the legislative recommendations of the Immigration Commission, commend the patriotic action of the Senate in passing Senate bill No. 3175, containing the legislation recommended by the commission and advocated by us, and urge upon the House the speedy passage of the bill next December, as promised; and be it further

Resolved, That the national secretary send a certified copy of this resolution to every Member of Congress at the opening of the next session.

Respectfully submitted.

JOHN MCKINNEY (California), *Chairman,*
LAWSON E. BROWN (Georgia), *Secretary,*
O. P. FORD (Alabama),
A. H. EVANS (Illinois),
Committee on Immigration.

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NEW YORK UNITED GARMENT WORKERS INDORSE ILLITERACY TEST.

Editor Sullivan was invited to address the board on the immigration question. The following resolutions were adopted:

"The general executive board of the United Garment Workers of America, at a session of its quarterly meeting in New York City, on Thursday, June 23, 1905, unanimously passed the following:

"'*Resolved,* That the unprecedented movement of the very poor to America from Europe in the last three years has resulted in wholly changing the previous social, political, and economic aspects of the immigration question. The enormous accessions to the ranks of our competing wageworkers, being to a great extent unemployed, or only partly employed, at uncertain wages, are lowering the standard of living among the masses of the working people of this country, without giving promise to uplift the great body of immigrants themselves. The overstocking of the labor markets has become a menace to many trades-unions, especially those of the lesser skilled workers. Little or no benefit can possibly accrue to an increasing proportion of the great numbers yet coming; they are unfitted to battle intelligently for their rights in this Republic, to whose present burdens they but add others still greater. The fate of the majority of the foreign wageworkers now here has served to demonstrate on the largest possible scale that immigration is no solution of the world-wide problem of poverty.

"'*Resolved,* That we call on American trades-unionists to oppose emphatically the proposed scheme of Government distribution of immigrants, since it would be an obvious means of directly and cheaply furnishing strike breakers to the "combine" capitalists now seeking the destruction of the trades-unions.

"'*Resolved,* That we condemn all forms of assisted immigration through charitable agencies or otherwise.

"'*Resolved,* That we warn the poor of the earth against coming to America with false hopes; it is our duty to inform them that the economic situation in this country is changing with the same rapidity as the methods of industry and commerce.

"'*Resolved,* That we call on the Government of the United States for a righteous relief of the wageworkers now in America. We desire that it should either (1) suspend immigration totally for a term of years, or (2) put into force such an illiteracy test as will exclude the ignorant and also impose such a head tax as be sufficient to send back all those who within a stated period should become public dependents.'"

Resolution.

Whereas it is estimated that the outflow of gold from this country to Europe, due to the present system of immigration, amounted in the year 1909 to $357,000,000; and

Whereas it is admitted that this system is encouraged by the Governments of countries from which the hordes of emigrants are coming hither, for the very reason that the aliens send back to their friends and relatives abroad a large percentage of their earnings, which is in turn paid to foreign landlords as rents or to foreign Governments as taxes, thus indirectly bolstering Asiatic and European despotism

and feudalism at the expense of American resources while intensifying the struggle for existence among our own people, greatly lessening the opportunities for home building among us, tending mightily to race suicide by increasing the difficulties of raising children, lowering moral standards, weakening patriotic sentiment, and breeding contempt for American customs, laws, and traditions, and, in fine, driving plenty, peace, and innocence from our shores; and

Whereas alien corporations, and the outlaws and vampires who conduct the white-slave trade, are known to thrive by reason of the immigrant traffic, and to combine with "bosses" in industry and "bosses" in politics for the promotion of sordid and corrupt schemes that imperil both our industrial and political systems, exasperating labor, paralyzing capital, prostituting the ballot, assailing our courts of justice, nullifying good laws, initiating bad ones, and jeopardizing the existence of constitutional free government among us; and

Whereas information is at hand tending to show that our Representative in Congress is disposed to stifle all legislation in that body which is designed to remedy the manifold and crying evils here complained of, and that he has, to that extent, demonstrated his lack of diligence, probity, patriotism, and fidelity to his constituency; and

Whereas an election for Members of Congress is approaching, at which our own Representative must appeal again to the electors for their votes: Therefore be it

Resolved, 1. That we, the Immigration Restriction League, of Brooklyn, N. Y., representing many thousand voters, are sorely aggrieved by the failure of Congress to pass suitable laws for the restriction of immigration to the United States.

2. That we condemn as unfaithful, unwise, and undesirable any and every Member of Congress who has failed to urge the passage of such laws.

3. That we pledge our support at the coming election to candidates known to favor the speedy enactment of such laws, and demand that every candidate shall, before election day, publicly and distinctly announce his views and declare his purposes respecting such legislation, and that any candidate who neglects or refuses so to do will be regarded as hostile to our cause.

Dr. JAMES L. ARMSTRONG, *President*.
THOS. W. CHRISTY, *Secretary*.

Adopted April 14, 1910.

[Editorial from recent issue of Gazette-Times, of Pittsburgh, Pa.]

The statement is made that there is a perceptible shortage in the supply of common labor in Pittsburgh and western Pennsylvania. For this class of workmen industrial and development concerns rely upon foreigners chiefly from Italy and Austria-Hungary. Tens of thousands of immigrants returned to Europe during the depression following the panic of 1907, and the influx latterly has not been as great as in previous years. Meantime Brazil and Argentina are proving more attractive because of the abnormal prosperity in those South American countries.

This is a state of affairs fortunately which Pennsylvania can bear with equanimity. There may be temporary inconvenience caused by inability to secure enough men, but in the long run matters will balance themselves. In any event in the proportion that immigration of this kind falls off will the process of assimilation and Americanization make headway. Naturally the employer, anxious to maintain production and keep pace with competitors, considers the incoming alien purely from his capacity to work—a unit in the great system of building and making. Society and the State, however, must estimate him from another angle, and that is as to his quality as a citizen. There is to-day in this State no more important, difficult, or far-reaching problem confronting the community than that of the proper education and civilization of these foreigners. It is of a great deal more consequence to the Commonwealth that they become moral, lawabiding, patriotic, sober, and thrifty than that mere production be kept up to the requirements of demand. Industrious they are, willing, competent, and tractable, but unless they are subject to stimulating and elevating influences and are taught to have a better regard for American laws and customs their settlement in this country is neither for their good nor ours.

Court and police records bear terrible testimony to the price we are paying for immigration of this character, and there is every reason why Congress should so amend the statutes that it will be impossible longer to bring so many thousands of men whose presence is desirable only because they can be used as common labor. If there were less of such immigration to our shores, it is not improbable that there would be a revival of interest in America among the more intelligent Europeans.

Resolution adopted at a public meeting held in New York City, May 17, 1912, urging the passage by the House of Representatives of the Dillingham immigration bill (S. 3175).

Whereas a meeting recently held at Cooper Union, presided over by a former Congressman, once a member of the Immigration Commission and now attorney for the Navigazione Generale Italiana and other foreign steamship lines, at which a resolution was adopted in opposition to the Dillingham immigration bill, which contains legislation recommended by the Immigration Commission and which passed the Senate April 19, after three months' consideration and many days' debate; and

Whereas that meeting was called and addressed by agents of the steamship companies, padrones, and others peculiarly and pecuniarily interested, directly or indirectly, in the free importation of cheap labor and the unrestricted immigration of undesirables; and

Whereas that meeting did not represent the sentiment or the voting citizenship of the city; and

Whereas the financial and other burdens of our existing inadequate immigration laws are shown by the statement of Gov. Dix and other State officials that unrestricted immigration is costing the taxpayers of New York over $8,000,000 a year for the care of dependents and defectives, and by the present investigation, and were pointed out by the congressional Immigration Commission after its five years' thorough investigation, which reported in 42 volumes that our existing laws are "weak and ineffectual," recommended "substantial restriction" as "demanded by economic, social, and moral considerations," and found the "reading and writing test" to be one of the "most feasible methods" for excluding undesirable immigration: Therefore be it

Resolved, That this meeting urges upon the House of Representatives the immediate passage of the Dillingham, or Immigration Commission, bill (S. 3175) in order to put this country on a par with other new countries, such as Canada and Australia; and be it further

Resolved, That the secretary of this meeting send a copy of this resolution to the President, the Vice President, Senator H. C. LODGE, and each Member of the House at Washington, D. C.

JOSIAH C. PUMPELLY, *Chairman*,
255 West One hundred and eighth Street.
O. C. KIDNEY, *Secretary*,
815 West One hundred and seventy-ninth Street.

[Extract from article entitled "Protect the workman," by John Mitchell, The Outlook, August, 1911.]

The American workman recognizes the necessity of reasonable restrictions upon the admission of future immigrants; he realizes that his own welfare depends upon being able to work and to live in harmony and fellowship with those who have been admitted and are now a part of our industrial and social life.

The American wage earner, be he native or immigrant, entertains no prejudice against his fellow from other lands; but, as self-preservation is the first law of nature, our workmen believe and contend that their labor should be protected against the competition of an induced immigration comprised largely of men whose standards and ideals are lower than our own. The demand for the exclusion of Asiatics, especially the Chinese and the Hindus, is based solely upon the fact that as a race their standard of living is extremely low and their assimilation by Americans impossible. The American wage earner is not an advocate of the principle of indiscriminate exclusion which finds favor in some quarters, and he is not likely to become an advocate of such a policy unless he is driven to this extreme as a matter of self-preservation. He fails, however, to see the consistency of a legislative protective policy which does not, at the same time that it protects industry, give equal protection to American labor. If the products of our mills and factories are to be protected by a tariff on articles manufactured abroad, then, by the same token, labor should be protected against an unreasonable competition from a stimulated and excessive immigration. * * *

If we are going to regulate immigration at all, we should prescribe by law definite conditions, the application of which would result in securing only those immigrants whose standards and ideals compare favorably with our own. To that end wage earners believe—

First. That, in addition to the restrictions imposed by the laws at present in force, the head tax of $4 now collected should be increased to $10.

Second. That each immigrant, unless he be a political refugee, should bring with him not less than $25, in addition to the amount required to pay transportation to the point where he expects to find employment.

Third. That immigrants between the ages of 14 and 50 years should be able to read a section of the Constitution of the United States, either in our language, in their own language, or in the language of the country from which they come.

[From the New York Sun, Mar. 28, 1912, Evening Edition.]

A COMING ISSUE.

In more ways than one the present and the near future seem likely to offer years of unusual test for the Republic in which we live. A desire to experiment with the iridescent toy of pure democracy has already disturbed the workings of representative government in various parts of the country. And impatience with courts and constitutions may well cause graver confusion. The actual evil from such experiments may not be great, and every try at pure democracy contains a fresh demonstration of the futility of such reversion to primitive methods in a modern state. Nor have we any patience with those gloomy dyspeptics who consider that American political sense has gone to the dogs. It hasn't—and it is a pleasure to observe it attacking the new problems at once with zest and patience.

But America is one thing, and America overlaid or interlarded with large slices of the most ignorant and unreliable portions of Europe is another. And the indeterminate factor in the coming years—the coming issue—is the question of how much further we can permit free, unsifted immigration. Our current immigration both raises the most serious problems now forming for governmental solution, and also, by lowering the intelligence of the electorate, furnishes the gravest hindrance to their solution. The sudden eruption of the gaunt figure of syndicalism in our labor troubles is the most ominous sign of the times. We have had our strikes aplenty in the past. But the first considerable development of an actually revolutionary spirit comes to-day—and comes, as lately at Lawrence and now at Paterson, among the un-American immigrants from southern Europe.

The question is not one to be settled in a day or in a year. We shall doubtless have it with us for a long while to come. But we think the time is ripe for a very serious debate upon the problem, and actually for a beginning of restrictive measures. The first brute need for hands to lay open an unexplored continent has unquestionably passed. Such need as remains must be balanced against the paramount need for minds to govern a highly developed nation.

Fortunately, the whole subject has been most thoroughly examined in recent years and the facts are before the Nation. The recent congressional investigation resulted in a plentiful array of statistics, and especially in a single volume, The Immigration Problem, prepared by Prof. Jenks and Prof. Lauck, who aided in the study. Much of their interesting report was stated to the Senate recently by Senator SIMMONS, of North Carolina. The question is before that body in connection with a bill codifying the immigration laws. A provision for an educational test was cut out in committee, but has been offered as an amendment by the Senator from North Carolina. To quote the conclusion of his argument:

"In nearly every State we are expending annually enormous sums of money to educate the boys and the girls who are to be the citizens of the future, who are to control the destiny of this country and its institutions. In many States there are compulsory attendance laws. The taxpayers are assuming this great financial burden; they are insisting upon this higher degree of education for our boys and girls because they appreciate and thoroughly understand the fact that in an enlightened democracy such as ours, a country where we have sovereignty citizenship, the safety of our institutions, nay, the perpetuity of those institutions, depends upon the measure of intelligence of its people.

"Here, sir, we are spending annually upon our boys hundreds of millions of dollars to fit them for citizenship, because we know that that better fits them for participation in a Government like ours. Yet, Mr. President, in the face of this fact, in the face of this large expenditure of money for this purpose, when the Nation as a whole comes to act we open the doors and admit every year to our citizenship between 200,000 and 300,000 of as densely ignorant and illiterate peoples as live under God's sun. Why should we do this? Is it not a contradiction in policy? Is it not inconsistent with our whole educational history, especially of the last 25 or 30 years?"

The facts which he quoted to support his view are familiar enough. The change in the character of immigration in the last 25 years is notorious. Of the total immigration prior to 1883, 95 per cent came from England, Ireland, Scotland, Wales, Belgium, Denmark, France, Germany, the Netherlands, Norway, Sweden, and Switzerland. From 1883 to 1907, 81 per cent came from Austria-Hungary, Bulgaria, Greece, Italy, Montenegro, Poland, Portugal, Roumania, Russia, Servia, Spain, Syria, and Turkey. This latter stream is one-half illiterate; more than a third does not settle here, but returns to its source, and the rest largely lives to itself and resists assimilation. All of which facts are admirably illustrated, for example, in the racial condition existing in Lawrence, Mass.

Whether the literacy test is a sound method of restriction is a moot question. Nine out of the ten members of the congressional investigating committee agreed upon it as the best practical means, though frankly admitting its shortcomings. Possibly such a test, if supplemented by other restrictions, might meet the needs of the situation. But the point we would make is that the time has come when some restrictive plan must be devised and applied. The question admits of no division between capitalist and laborer. It has passed beyond the range of purely economic discussion and entered a field wherein all Americans must unite to grapple with a serious threat against the solidarity of the Nation. We trust neither Congress nor the people will find a presidential election too engrossing to permit the immediate consideration of this pressing issue.

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[From the New York Tribune, July 15, 1912.]

FORESEES ALIEN PERIL—BRITISH CONSUL GENERAL WRITES ABOUT IMMIGRATION PROBLEM—SWARMS OF ILLITERATES—MR. BENNETT EXPRESSES FEAR OF LESSENING OF ANGLO-SAXON SUPREMACY IN AMERICA.

In his annual report to the British Parliament, Courtenay Walter Bennett, British consul general at New York, expresses a vague fear that the enormous influx of immigrants, with different ideas of law, liberty, and justice than those who founded the country, may lead to serious trouble in the future. He intimated that the outlook indicated a lessening of Anglo-Saxon supremacy.

The report, which consists of 50 printed pages, covers a wide range of topics, from the usual trade reports to a study of social and economic conditions of the country.

The future Manhattan Island, in the opinion of Consul General Bennett, will be a city of towering skyscrapers, with rents so high that the average business house will be forced to seek quarters outside of Manhattan Island.

He also points out that New York City is losing its supremacy as the money center of the United States, which is due, he declares, to the increase of wealth in other parts of the Union. The basis for this conclusion he found in the bank clearances during the years 1905–1911, which show that New York in 1911 had only 58 per cent of the entire bank clearances of the United States as opposed to 65 in 1905.

Speaking of the influx of immigration, Mr. Bennett said:

"The new immigration is illiterate in the proportion of 35.6 per cent compared with 2.7 per cent of the old. It acquires English very slowly—often not at all—while races of the old immigration either spoke English to begin with or a tongue so allied to English that its acquisition was easy. It is very largely a male immigration, whereas the old was an immigration of families; it is nomadic, where the old was settled; it is comparatively segregated; finally, it is not an immigration at all in the sense that the old was, but an advancing and receding flood."

MANY GO HOME TO STAY.

Elaborating on this, he points out that one-third of all the immigrants now coming to this country return to their native lands, and of this number two-thirds remain there.

After reviewing the cosmopolitanism and heterogeneity of New York's population, Mr. Bennett says:

"In many quarters the belief is held that the gates of immigration have been opened too widely and that the enormous influx of people with different ideas of law and liberty and justice may lead to serious trouble in the future. Whether the mass of new immigrants will be absorbed in the old and eventually turned into valuable American citizens or whether the original ethnic elements, pressed upon on the one side by the colored population, which is increasing rapidly in numbers and is to-day estimated at over 10,000,000, and on the other side by the mass of new immigrants, much of which is not Christian in belief, will be modified, subdivided, or drowned in the flood of foreigners, and thus rendered impotent to exercise its proper influence, are questions which occasion present anxiety, but which can only be answered in the unknown future."

Continuing, Mr. Bennett dwells on labor conditions generally, and observes:

"It is also perhaps desirable to point out that labor conditions in the States are approaching conditions found in Europe more rapidly than is generally thought. The labor market is overstocked; unemployment, especially among the unskilled laborers, is very prevalent, while competition for a vacant berth is as keen in New York as it is in London."

TELLS OF SKYSCRAPER PROBLEM.

The skyscraper problem Mr. Bennett describes in part:

"It appears to be the wish of everybody to have their offices or places of business as near to Wall Street or the docks as possible. This wish naturally sent up the rents, the land became more valuable, and at the same time the landlords wished to make as much profit as possible from their landed property. The space available for building being limited, and only sufficient to accommodate hundreds, it was found necessary to devise a scheme for making it suitable for thousands. In London a somewhat similar difficulty was experienced, and the tendency was met by building story after story beneath the level of the street. In New York the architects built upward story upon story up to 52 stories in the newest buildings, and the age of the skyscraper arrived. Land, therefore, which under normal circumstances could only give homes or office room to, say, 200 or 300, now gives room for 10,000, or even 14,000. The extra cost in building is more than covered by the increased rents asked and obtained.

"To-day, forming, as they do, a sort of vacuum into which hundreds of thousands of human beings are being projected every day at about the same hour, and from which they are ejected every evening, also in crowds, the skyscraper has paralyzed all efforts to relieve traffic congestion in New York.

"New roads, ferries, railways, subways, and elevated tracks have been made, but as fast as they are completed the growing traffic overtakes their carrying powers, and the congestion remains as bad as ever it did.

"The day apparently must come, and before many years are past, when the skyscrapers have brought the city to an impasse, when millions will be working where thousands were intended to work, where rents have risen to such a figure that they can not profitably be made, and when people will begin to find it necessary to carry on their business more cheaply in places situated not on Manhattan Island."

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ATTITUDE OF NATIONAL GRANGE.

Resolution adopted at the national session, 1912.

Whereas the Senate has passed an excellent bill, S. 3175, containing the legislation recently recommended by a congressional investigating commission as necessary to exclude undesirable immigration, and the House leaders have announced that the measure will be considered "the first thing in December"; and

Whereas we have recommended that the head tax be increased, the illiteracy test be enacted, the foreign steamships be fined for bringing undesirables, and that other judicious measures be adopted by the Congress of the United States: Therefore be it

Resolved by the National Grange in forty-sixth annual session, That we urge this needed legislation.

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[From the Outlook, Sept. 14, 1912.]

ATTITUDE OF THE RAILROAD BROTHERHOODS—THE LITERACY TEST FOR IMMIGRANTS.

May I have the honor of your columns to say a few words in regard to the immigration question discussed editorially and by correspondence in your issue of June 22?

All labor leaders are agreed, so far as I know, and my acquaintance is extensive, that some substantial curb ought to be placed at once on the present enormous influx and efflux of foreign labor. And while I know of no official identified with any of the various labor organizations of the country who would take exception to your statement that the illiteracy test "would be inadequate to protect this country from (all) undesirable immigrants," I feel certain that practically all of them would be inclined to dissent from your other statement that it would not help "secure those that are desirable."

There is absolutely no question about the Immigration Commission's finding that there is an "oversupply of unskilled labor in this country," which affects indirectly, but none the less deleteriously, wages and conditions of employment in the skilled trades. For years our organizations have recognized with increasing conviction the need of just such legislation as that recommended by the commission, and have gone on record at our conventions and before congressional committees as favoring it, and particularly the reading and writing test, because we find that those who can not read or write are the ones at Lawrence in textile industries, at Bethlehem in the steel mills, and even at work in the railway construction camps, as pointed out by the Immigration Commission, that are the easiest induced to come here, to be hoodwinked into coming, to be worked at lower wages and longer hours, and that they are the ones who render conditions less safe and less sanitary and who are used by the labor exchanges, the large employers of cheap labor, and the like to prevent an improvement of conditions commensurate with inventions and changing needs, an increase in wages to keep pace with the increased cost of living, etc.

The commission emphasizes the fact, I believe, that the illiterate, as one would expect, are the most difficult to organize into a law-abiding union and the easiest to become the tools of violent agitators, such as have made their appearance recently during labor troubles at Lawrence and other places.

With your statement that transient workers coming to go back with their parsimonious hoardings, unaccompanied by their families, should be excluded, and that a limit should be placed upon the number coming, I believe all students of labor conditions agree and at least 80 per cent of the thinking public. A large number, considerably over half, I believe, would be in favor of going further for a specified time, in order to allow the forces of assimilation to relieve the situation. But the rub comes as to the tests to accomplish this purpose. The Republican Party had declared for the illiteracy test in specified terms, and a general declaration of the Democratic Party has been interpreted on the stump in a campaign or two to mean the same identical thing.

In your editorial you advocate an increased head tax, the requirement of some money in the pocket, which is law in Canada, among other restrictive provisions and orders that make our weak laws look ridiculous, a character certificate, and the limitation of numbers coming per annum. But would any one or all of these "secure those that are desirable" and keep out those that are "undesirable"? Would not any test, as a matter of fact, in academic argument, keep out some possibly desirable person? And could not even our present feeble laws, excluding merely a few of the undeniably undesirable and objectionable, be said to do this? Do they not keep out desirable immigrants, even though the law is enforced very liberally and generously and charitably? In my experience I know of no piece of legislation that has not had brought against its enactment the charge that it would do some hardship, and nowadays we hear much said about the administration of the laws by the courts being a "reproach to civilization." But is that any reason for abolishing, as the nihilist and anarchist would, all government? Or for the owner of a barn, using the same reasoning, burning it to destroy the rats?

To us who make a specialty of studying, exclusively almost, the needs of labor and labor problems, the illiteracy test seems, as it did to the Immigration Commission, "the most feasible" for starting the proper regulation and control of immigration, because it would, as pointed out by the commission, work the least possible harm and do the greatest possible good of any of the tests considered, and by so recommending it they, as I understand, did not preclude the enactment of additional and other tests, and did not mean to recommend it as a substitute for other existing as well as proposed legislation, such as you mention.

H. E. WILLS,
National Joint Legislative Representative,
Order of Railway Conductors, Brotherhood of Railway Trainmen, and Brotherhood of Locomotive Engineers.

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[Views of Senator ELIHU ROOT. Extract from speech delivered in United States Senate April 19, 1912.]

Mr. President, I am opposed to the amendment striking out the illiteracy clause. I believe the time has come when it will be for the benefit of the people of the United States, including all the millions of immigrants who have come into this country in recent years, to put

into our immigration law a clause which will require the immigrants who are admitted here to pass the test of ability to read and write.

I intend to say but a very few words on the subject. I am not in favor of this proposition for the reason that it will tend to exclude criminals and anarchists. I do not suppose it is intended for that purpose at all, and the fact that it will not accomplish that purpose is no argument against the test. I am not in favor of the test of illiteracy because I think there are not many good people who would become useful citizens and who can not read and write at this time. It may well be that such a test will exclude a good many people whom we should be glad to have here. But, Mr. President, the question is not whether this test will still leave it possible for some people to come in who ought to come in, or whether it will keep out certain people whom it would be well to keep out, but whether such a test will be beneficial to the people of the United States.

It seems clear to me that it will be beneficial as a whole. I think there is a general and well-founded feeling that we have been taking in immigrants from the Old World in recent years rather more rapidly than we have been assimilating them. They have been coming in rather more rapidly than they have been acquiring American habits of thought and the American spirit of government, and it could not well be otherwise in view of the fact that of the 9,555,000 immigrants who have come into this country during the 12 years following the War with Spain, 2,238,801 over 14 years of age were unable to read and write, with the result that we have many great communities composed of people gathered together unable to speak the English language, unable to read the newspapers or the magazines or the books through the agency of which a knowledge of what is going on in the world and a knowledge of the principles of our Government may be communicated to our people.

These communities of foreigners, speaking a foreign tongue, with foreign habits and thoughts, cut off by inability to read from the great body of the people of America, cut off from our ideas, from our thoughts, our sentiments, our feelings, our purposes by their own ignorance, are encysted in the body politic of America and the body social of America and are not a part, in fact, of the organized community which we call the United States.

* * * * * * *

Mr. President, there are two special considerations that I wish to lay before the Senate in its dealing with the question whether it is desirable for us to impose this limit. One is that the coming of great numbers of these people who are wholly illiterate and who have to take, of course, the lowest rate of wages, whose minds are not open to the ordinary opportunities for bettering their condition, does tend to break down the American standard of wages, and to compel American workmen, whether they be born here or be a part of the 9,000,000 who have come in since the War with Spain, to compete with a standard of wages and a standard of living that they ought not to be required to compete with.

Now, that is the reason why within a comparatively recent time the workingmen of the country who formerly were moved by sympathy with the friends they had left behind them on the other side of the ocean have now come to feel that it is essential that something be done, so that this bringing in and planting on our soil the pauper labor of Europe may be checked, and why they are asking for this legislation.

I do not see, sir, how any one upon either side of this Chamber can square his conduct with his professions of a desire to promote the welfare, to improve the conditions, to contribute to the happiness of men who work with their hands in this country and refuse to check this influx of ignorant labor to compete with our workingmen and reduce them to a standard of living below that which they have at present.

There is one other consideration which seems to me of very serious importance. We do not have to wait now, sir, for men to be naturalized and accorded the suffrage before they can exercise a potent influence upon the most vital concerns of the whole people. It is only a few weeks since we have seen Great Britain face to face with a paralysis of industry, with imminent danger of famine, with a condition which had thrown out of employment more than 2,000,000 of the working people who themselves were not on strike, but who were thrown out of employment because the coal supply to keep going the industries in which they worked had failed. That situation was brought about by a vote of the miners of coal.

But a few years ago, sir, we ourselves were confronted with a situation—not so widespread and not so imminent in its danger, but serious enough—when the coal miners of Pennsylvania stopped absolutely the supply of anthracite coal for the country. That stoppage of that great supply necessary to the comfort, necessary to keep going the furnace fire and the kitchen fire, to keep going the manufactories which employed labor, to keep going the wages of labor, was brought about by a vote of the miners in the anthracite regions of Pennsylvania.

Mr. President, I do not in the remotest degree touch upon the question of right or wrong, wisdom or unwisdom, expediency or inexpediency of such a vote. At times it may be justified; at times it may not. It even may be a close and doubtful question as to whether the men who mine the coal or the men who work in any other of the great basic industries upon which our great structure of production and commerce is built up should vote to stop.

Surely, sir, it is of vital importance to the people of the United States that the men who are to consider that question, the men who are to vote whether they will go on to furnish or will cease to furnish the supplies necessary to the continuance of our industries at large, to the continuance of the supply of the necessities and comforts of life—surely it is of vital importance to us that the men who are to cast that vote shall be men instructed, men who are able to read, men who are able to get into touch with the sentiments of American life, with the principles of American institutions. Yet we find by the report of the Immigration Commission that it is into those basic industries upon which all our industries depend that these new arrivals from southeastern Europe go. They go to the point where ignorant, uninstructed action may do the greatest damage, to the point where instructed and wise action is of the greatest consequence. Here is what the commission says:

"A large proportion of the southern and eastern European immigration of the past 25 years has entered the manufacturing and mining industries of the Eastern and Middle Western States, mostly in the capacity of unskilled laborers. There is no basic industry in which they are not largely represented, and in many cases they compose more than 50 per cent of the total number of persons employed in such industries."

And to-morrow, sir, the question whether the workers in our mills shall continue to have employment, the question whether our furnace fires shall continue alive, whether the ordinary necessities of life shall be cut off, is liable to be determined by the vote of the miners, more than 50 per cent of whom, according to this report, may be unable to read and write.

I have read the statement from the report of the commission. The commission says:

"There is no basic industry in which they are not largely represented"—

That is, these unskilled laborers from southeastern Europe—

"in which they are not largely represented, and in many cases they compose more than 50 per cent of the total number of persons employed in such industries."

I do not think it is a fact that a majority of the miners in any part of the country are illiterate, but I say that unless we put some check on this immigration we are feeding into the body of men who are engaged in these basic industries, the continuance of which is necessary for all other industries, a continual stream of men whose minds are closed to the principles and the sentiments of our American institutions and our American civilization. I think that this consideration is powerful in its persuasion toward the adoption of such a test as it is now proposed to strike out from the bill.

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THE UNION LEAGUE CLUB OF NEW YORK CITY INDORSES THE ILLITERACY TEST.

Whereas the Republican Party has declared in its national platforms of 1896 and 1900 that, in the interest of the American workingman, it favors a more effective restriction of cheap labor from foreign lands; and

Whereas many of the immigrants now landing in this country are of a less desirable class than those of former years; and

Whereas the coming of great numbers of such class tends, by the changing of standards of living and the lowering of public ideals, to undermine our national institutions: Now therefore be it

Resolved by the Union League Club of New York City, That we heartily indorse the attitude of the present national administration and of the present commissioner of immigration of the port of New York, as manifested in the more efficient enforcement of existing laws.

Resolved, That we demand in every port of entry in the United States a strict enforcement of that provision of the present law which excludes "all persons who are found to be and are certified by the examining surgeon as being mentally and physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living."

Resolved, That we favor such amendments to the present law as will authorize the deportation of any immigrant who becomes a public charge for any cause within one year of landing, and as will permit the deportation within one year after landing of such persons as were, in fact, at time of landing, paupers, or likely to become public charges, even though such disability was not detected at the time of said landing.

Resolved, That we urge upon Congress the enactment of laws which will secure the selection of a better class of immigrants by the exclusion of such adult aliens as are unable to read a language or dialect and of such as have not in their possession sufficient money to assure their support while seeking employment; and be it further

Resolved, That copies of these resolutions be forwarded to the President of the United States, the Secretary of Commerce and Labor, the Speaker of the National House of Representatives, and to each of the Senators and Representatives in Congress of the State of New York.

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[House hearings, Immigration Committee, 1910, p. 69.]

THE ILLITERACY TEST WOULD KEEP OUT ALIEN CRIMINALS.

Mr. PATTEN. The illiteracy test is not proposed as a means of excluding criminals, it is not offered as a substitute for existing laws debarring criminals, but as an additional selective and restrictive measure, and on the ground that, for an enlightened democracy such as we have, on the average, the man who can read and write is more likely to be better fitted for American citizenship than the one who can not. If the steamships can not bring illiterates they will bring literates. Of course an elementary—even a high school—education is no absolute guaranty against rascality. The test is proposed merely as another means of sifting out the more unassimilative aliens. It would seem, as Commissioner General Sargent argued, that the man who can read, write, and figure must necessarily be better equipped for the struggle for existence—better prepared for American citizenship, and more likely to take up with our standards and ideals, else our whole public-school system is wrong. There are, of course, individual cases of illiterate persons making excellent citizens, but statistics show, as one would expect, that it is the illiterate who generally has criminal propensities, is averse to country life, settles down in the crowded quarters, takes no permanent interest in the country, lacks a knowledge of a trade, has lower standards of life, a less ambition to seek a better——

Mr. KÜSTERMANN. He may not have had any chance to learn.

Mr. PATTEN. That is true; but the public-school system, the forms of government, and other institutions are reflections of capacities, characteristics, etc., of people. The late Commissioner General of Immigration, Mr. Frank P. Sargent, in one of his annual reports, expressed a decidedly contrary opinion, and argued that a rudimentary education certainly could not be a handicap in the struggle for existence, and the inference I drew from his statements was that it was decidedly desirable, and that our public-school system was all right.

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[Part of memorial adopted by both branches of Vermont State Legislature and approved by the governor.]

VERMONT LEGISLATURE MEMORALIZES CONGRESS FOR ENACTMENT OF ILLITERACY TEST AND SENATE BILL 3175.

Whereas Congress, February 21, 1907, created an Immigration Commission composed of three Senators, three Members of the House of Representatives, and three persons appointed by the President, for the purpose of making a careful and searching investigation into the entire question of immigration both in this country and abroad, and after several years painstaking investigation at a cost of a million dollars, said commission has issued its exhaustive report of 40 volumes and urgently recommends the passage of a measure which will restrict the admission of those less likely to become desirable citizens; and

Whereas the commission, with a single dissenting opinion, recommends the reading and writing test as the one best calculated to restrict undesirable immigration; and

Whereas the Hon. WILLIAM P. DILLINGHAM, senior Senator from Vermont, as chairman of the Immigration Commission, introduced a bill containing the illiteracy test, and said bill has passed the Senate and is now pending before the House of Representatives under the title of the Dillingham-Burnett bill: Therefore

Resolved, That the congressional delegation from Vermont is urgently requested to advocate and aid in the passage of any immigration bill containing the illiteracy test.

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[Extract from 1912 Annual Report of the United States Commissioner General, Hon. D. J. Keefe.]

COMMISSIONER GENERAL OF IMMIGRATION, HON. D. J. KEEFE, RECOMMENDS ILLITERACY TEST IN HIS ANNUAL REPORT FOR 1912.

While I have not heretofore opposed the insertion in the law of what has come to be known as the "illiteracy test," I have not expressed positive approval of it, preferring that what seemed to me to be the ideal test, viz, a very high and rigidly enforced rule with respect to moral, mental, and physical soundness of applying aliens should be inserted in the statute and given far-reaching effect by appropriate regulations. During the past two years my attention has been directed to numerous arguments, both favorable and unfavorable to the illiteracy test, and I have been so much impressed with those of the former character that gradually I have come to believe that the situation in the United States produced by immigration heretofore comparatively unrestricted (which situation has been described in previous reports of the bureau, as well as in the comprehensive report of the Immigration Commission recently published) demands that some method be adopted by which the influx of foreigners so unduly large as to be unhealthful may be so extensively reduced in actual numbers as materially to affect the existing purely economic phase of the proposition. It seems to have been shown quite clearly that this result would be accomplished by the illiteracy test. Of course, it is true that this is not the ideal method of sifting immigration so as to exclude none except altogether undesirable and admit none except altogether desirable aliens; that must be accomplished, if at all, by such tests as can be devised to apply to their moral, mental, and physical qualifications. But undoubtedly the illiteracy test would accomplish the immediately important purpose of materially reducing the volume of immigration and would principally reach aliens of a generally undesirable character.

An individual alien, although unable to read and write, might prove to be a valuable acquisition to the country; but when immigration is considered in larger proportions the case of this individual would sink into insignificance. Take, for instance, a thousand aliens who are literate and compare them with a thousand who are illiterate. While individual exceptions to the rule, as already indicated, would undoubtedly be found, there can be little question that among the latter thousand there would be a great many more undesirable from the moral, mental, and physical standpoint than among the former thousand. Another consideration which impresses me with respect to the illiteracy test is the fact that as a rule the literate alien generally is better qualified than the illiterate to acquire a knowledge of and respect for our political and social institutions and may, therefore, be more readily assimilated. I believe, however, that if the illiteracy test should be adopted for the purpose of immediately effecting a material reduction in the volume of immigration the standard with respect to moral, mental, and physical qualifications should simultaneously be raised.

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[Editorial from the Boston Evening Transcript, Nov. 16, 1912.]

SOUND VIEWS ON IMMIGRATION.

There has come to the Settler's desk a little pamphlet by Theodore Marburg, Esq., of Baltimore, which sets forth in a straightforward manner the menace of foreign immigration. So much sentimental sophistry is put out concerning this subject nowadays that it is a peculiar satisfaction to come upon a discussion that is thoroughly sane.

The reality of the immigration peril is patent to every unprejudiced observer of American life. Immigration of the quantity and the quality that has been coming to this country in recent years involves grave dangers. Regarded from an economic, a social, or a political viewpoint, its effects are bad. It causes economic disturbance, overcrowding the labor market, and depressing the wage rate. It multiplies, complicates, and aggravates the problems of social reform. It subjects American institutions to a severe strain and endangers the success of the democratic experiment.

The political danger is emphasized especially by Mr. Marburg: "We owe it to the world to continue to make this experiment successful. If shutting out immigrants seems unfair, it is unfair in a bigger way to permit the overcrowding which will place a strain upon our institutions. The advantages of slower growth will be manifold. The older the Government the deeper will it become rooted in the affections of the people. The slower the change of conditions we are compelled to meet, the greater will be the opportunity to accommodate ourselves to such change and to do it successfully. We have a right to exercise a choice not only in the character and health of the individuals we admit, but in the races we admit. It might be well to try, for a generation at least, the experiment of limiting the numbers of immigrants, declaring definitely how many we will receive from each of the European peoples, and giving a decided preference to the hardy northern blood. * * * What use is there in multiplying a population if you are going to subject vast numbers to a life in factory and mine? It is not by growth in numbers that the world is moved forward, but by growth in kind. Ever a higher type living under conditions of greater social justice, that is an aim worth striving for."

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[Editorial from the New York Herald, Apr. 13, 1912.]

TROUBLE AHEAD.

We call attention in the news columns this morning to the flood of immigrants now pouring into the country through the port of New York. They are coming in larger numbers than ever before. In March 83,654, a record number for that month, passed inspection. So far in April 6,000 more have entered than for the first half of April last year.

Some 3,000 a day, often more, have to be examined by the immigration inspectors. Almost needless to say, it is impossible to determine properly in the time that can be given each of them the fitness of any such number for entrance. At the very most 1,800 can be cared for with the quarters and the staff at the command of the commissioner of immigration.

Hence, a large number of most undesirable persons are being necessarily admitted. We pointed out in the Herald months ago, with the warning that immigration would probably be higher than ever this year, that at the present time nearly two-thirds of the inmates of the public insane asylums of the metropolitan district are of foreign birth. The ratio will be even higher after this. Insanity is only one of the undesirable qualities in such a heterogeneous mass. It may be fairly taken as an index of what can be confidently expected from our shortsighted policy.

This must stop. We need better immigration laws, but above all we need at once more inspectors to enforce our existing laws properly. We are laying up physical, mental, and moral trouble for our people. Who is to blame?

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AN ELEMENTARY EDUCATION BETTER FITS FOR THE STRUGGLE FOR EXISTENCE AND FOR PARTICIPATION IN OUR PUBLIC AFFAIRS.

APRIL 12, 1912.

Senator F. M. SIMMONS,
Washington, D. C.:

I see by the CONGRESSIONAL RECORD that you are to speak next Monday on your illiteracy-test amendment to the immigration bill (S. 3175) now pending before the Senate, and I beg to say that there are over 400,000 members of the above patriotic society that have been urging for several years with more and more emphasis the adoption of such a test for adult aliens.

The membership feels that there is quite too much illiteracy in the country already, and that we ought to require of our own, by means of compulsory school-attendance laws, that they be able to read and write—as well as of foreigners entering the country—on the ground that a rudimentary education better fits one for the struggle for life and for citizenship in this country.

JOHN H. NOYES,
National Legislative Committee, National Council,
Junior Order United American Mechanics.

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[Extracts from an article by Samuel Gompers in the official publication of the American Federation of Labor, The American Federationist, of Jan., 1912.]

IMMIGRATION—UP TO CONGRESS.

(Resolution 77, passed at the annual convention held at Toronto, Ontario, Nov., 1909.)

Whereas the illiteracy test is the most practical means for restricting the present stimulated influx of cheap labor, whose competition is so ruinous to the workers already here, whether native or foreign; and

Whereas an increased head tax upon steamships is needed to provide better facilities, to more efficiently enforce our immigration laws, and to restrict immigration; and

Whereas the requirement of some visible means of support would enable immigrants to find profitable employment; and

Whereas the effect of the Federal bureau of distribution is to stimulate foreign immigration: Therefore be it

Resolved, By the American Federation of Labor in twenty-ninth annual convention assembled, That we demand the enactment of the illiteracy test, the money test, an increased head tax, and the abolition of the distribution bureau; and be it further

Resolved, That we favor heavily fining the foreign steamships for bringing debarable aliens where reasons for debarment could have been ascertained at the time of sale of ticket.

The final inning of the tug of war over immigration has now begun. In this contest tremendous forces are engaged. On the side of America are the upholders of two distinctive American sentiments, the maintenance of the American standard of living for our wageworking classes and the maintenance of American institutions as they are, unimpaired through the financial degradation of the working classes. On the proimmigration side is the powerful immigration machine, composed of the transocean combine, with all its thousands of agents and other innumerable parasites, the bankers, padrones, etc., who are coining money out of the millions of immigrants coming in the course of years into this country from Europe.

The center of this tug of war has at last shifted to Congress. No longer is the discussion indefinite, casual, or partisan or without an immediate object, conducted through the press and other insufficient agencies of information and debate. No longer, either, is it backed up merely by individual impressions or the partial investigations heretofore promoted by various private institutions. The Federal Government undertook four years ago the solution of the immigration question through scientific means. It set out to ascertain the undeniable facts and after three full years of research its commission has brought forward no less than 40 volumes on the subject, covering every possible phase. Its recommendations it has brought forward in concise form in a separate pamphlet.

A reading of these recommendations confirms the facts of the case as they have been accepted by the American Federation of Labor after the serious study its members had given the question for decades. The local, and then the international unions, and finally the annual conventions of the American Federation of Labor itself, have had immigration up for consideration as one of the principal labor topics on literally thousands of occasions. The membership as a whole, from upholding the sentiments the great majority once entertained, namely, that this country could go on indefinitely absorbing the entire possible stream of immigration, have reluctantly, in view of the facts, passed over to the sway of the sentiment that their own good heartedness toward the immigrant and the laborers of the Old World was being exploited by large employers for the purpose of reducing wages as well as by the steamship combine and its myriad of parasites for the sake of their own profits. At last the great body of the American industrial wageworkers have come to see one fact above others, which is that the immigrants are assimilated in America through the wageworking class. This means that the American-born wage earners and the foreign wage earners who have been here long enough to aspire to American standards are subjected to the ruinous competition of an unending stream of men freshly arriving from foreign lands who are accustomed to so low a grade of living that they can underbid the wage earners established in this country and still save money. Whole communities, in fact whole regions, have witnessed a rapid deterioration in the mode of living of their working classes consequent on the incoming of the swarms of lifelong poverty-stricken aliens. Entire industries have seen the percentage of newly arrived laborers rising until in certain regions few American men can at present be found among the unskilled.

By the commission's report it is shown that in many communities as high as 50 and even 70 per cent of the children in the public schools are the offspring of foreign fathers. This remarkable change in America, it must be kept in mind, is almost wholly in the wage-working class. It was recognized by our wageworkers in many parts of the country that this radical change in population was taking place, and hence delegates to the trade-union conventions began some years ago to give their testimony as to the need of restriction of the evidently assisted, or artificially promoted, immigration. Opposition to those who supported these views brought about a continual sifting and searching for the truth, as it affected trade-unionism and the general wage level.

At work in advance of the investigators of the Immigration Commission were the representatives of labor as most deeply interested investigators in the cause of labor. Not only in a general way, but most strikingly in certain occupations and in certain districts of the country, what had been brought home to trade-unionists as going on through immigration was the rapid change in the membership of the unions as well as in population. In no country on the face of the globe do such rapid transitions in industry and in population take place as in ours. Therefore, in time the general opinion among union men on immigration had come to be such as was expressed in the resolution passed at the Toronto convention.

Mr. GOLDFOGLE. I ask unanimous consent to print in the RECORD the pamphlet which I hold in my hand, prepared by Mr. Max J. Kohler, of New York City, one of the delegates on civil and religious rights of the Union of American Hebrew Congregations.

The SPEAKER. The gentleman from New York [Mr. GOLDFOGLE] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The document referred to is as follows:

PRESIDENT TAFT'S VIEWS ON IMMIGRATION.

[Extract from a speech delivered by the President at Cambridge Springs, Pa., on Saturday, Oct. 26, 1912, at the dedication of a Polish college.]

I can not close without some reference to the question of immigration and the attitude that ought to be taken by the lovers of our country. I am one of those who believe that America is greatly better in her present condition, and will have still greater advantage in the future, because of the infusion into our body, politic and social, of the sturdy peasantry and the better educated classes who have come to us from the nations of Europe. In the actual development of the country it would have been impossible for us to have done what has been done in the construction of railroads, in the development of our farms, and in the establishment of our industries, had we not had the strong arms and the steady heads of those who have come to us from continental Europe. Assuming that the foundation of our country and the original people here were from the islands of Great Britain and Ireland, and treating the foreign question as one now of immigration from continental Europe, I repeat that I do not share in the fear that our citizenship is ultimately likely to suffer by the coming from other continental countries for the purpose of permanent settlement of any of the peoples who are now coming. We have a right to have, and ought to have, immigration laws that shall prevent our having thrown upon us the undesirable members of other communities, like the criminals, imbeciles, the insane, and the permanently disabled, but we have a vast territory here not yet filled, in the development of which we need manual labor of a constant and persistent kind, and I think we have shown in the past, as we shall show in the future, that our system of education is sufficiently thorough and sufficiently attractive to those who come here that they of all others avail themselves of it with promptness and success. I have an abiding faith in the influence of our institutions upon all who come here, no matter how lacking in education they may be, if they have the sturdy enterprise to leave home and to come out to this country to seek their fortunes. It is not the uneducated who scoff at education—they value it. They sacrifice everything to enable their children to obtain that which they were denied. The second generation of a sturdy but uneducated peasantry, brought to this country and raised in an atmosphere of thrift and hard work, and forced by their parents into school to obtain an instrument for self-elevation, has always contributed to the strength of our people, and they will continue to do so. The difficulty that they do not speak our language makes the process of amalgamation slower perhaps, but it does not prevent it.

I am proud of our country that we have had its doors swinging easily open for the industrious peoples of other countries that have sought ours for greater happiness and quicker development, and he would be blind indeed who would deny that a substantial part of our progress is due to this policy of generosity toward those who are seeking the atmosphere of freedom and the land of equal opportunity.

PRESIDENT ELECT WILSON'S VIEWS ON IMMIGRATION.

23 WEST STATE STREET, TRENTON, N. J.,
October 21, 1912.

DR. CYRUS ADLER, *Philadelphia, Pa.*

MY DEAR DR. ADLER: * * * I am in substantial agreement with you about the immigration policy which the country ought to observe. I think that this country can afford to use and ought to give opportunity to every man and woman of sound morals, sound mind, and sound body who comes in good faith to spend his or her energies in our life, and I should certainly be inclined, so far as I am concerned, to scrutinize very jealously any restrictions that would limit that principle in practice. * * *

Cordially and sincerely, yours, WOODROW WILSON.

THE INJUSTICE OF A LITERACY TEST FOR IMMIGRANTS.

The Dillingham bill (S. 3175), which has passed the Senate, and the Burnett bill (H. R. 22527), which has been reported to the House of Representatives, represent a radical departure from the historical policy of our Government respecting immigration legislation. These bills, if enacted into law, would for the first time restrict immigration, whereas heretofore all legislation has been regulative. The method resorted to for the restriction of immigration in both of these bills is that of a literacy test, which is the sole provision of the Burnett bill.

In addition the Dillingham bill contains many radical innovations. Principal among these are (1) section 3, which provides for the exclusion of all persons not eligible to naturalization; (2) section 18, which requires that all aliens admitted to the United States shall be provided with certificates of admission and identity; (3) the abolition of the time limit of three years within which persons may be deported; and (4) the consolidation of the general immigration statutes with the Chinese-exclusion laws. There are other minor changes from existing law which tend to render the admission of aliens difficult when not excluding them entirely.

In support of the adoption of legislation to restrict immigration its advocates base their arguments in the main upon the report of the Immigration Commission. This is a report in forty-odd volumes, published in a limited edition, and there has been no opportunity for the commission to properly digest the material collected by it.

With respect to the opportunity for properly weighing the material gathered by the commission, its own editorial adviser, Prof. H. Parker Willis, has stated (Survey, Jan. 7, 1911, p. 571):

"With so much actually collected in the way of detailed data, and with but scant time in which to summarize these data; lacking, moreover, a sufficient number of trained writers and statisticians to study the information acquired and to set it down with a due proportion of properly guarded inference, it is a fact that much of the commission's information is still undigested and is presented in a form which affords no more than a foundation for the work of future inquirers. Such inquirers ought immediately to take the data in hand before they become obsolete and while they still represent existing conditions with substantial accuracy. Pending the results of such inquiry, however, those who would judge what the Immigration Commission has done and would fain find there material in support of their own preconceived ideas should be careful. And those who wish simply to appraise the work of the commission, with a view to forming some well-founded conclusion as to its meaning and its merit, must confine themselves to very narrow limits. They must recognize that only in the broadest way can conclusions as yet be drawn from the masses of statistics and the very general textual treatment to be presented in the reports of the commission. The question may be raised whether the commission would not have done better had it limited the field work more narrowly, and increased the relative amount of expenditure devoted to 'overhead work' in the office. It did not do so, however, and the result has been, instead of a small and finished study, a large and uncompleted body of data."

Nevertheless, a majority of the Immigration Commission recommend the restriction of immigration and the adoption of the literacy test as the most feasible method of accomplishing this purpose.

The Dillingham bill provides for the exclusion of all aliens over 16 years of age who can not read and write the English or some other language, but permits an admissible alien to bring in or send for his wife, his children under 18 years of age, his parents or grandparents over 50 years of age, whether they can read and write or not. The test of an immigrant's ability to read and write is to be applied by requiring him to read and write 20 to 25 words of the Constitution of the United States.

The Burnett bill excludes all aliens over 16 years of age who are unable to read English or the language or dialect of some other country and permits an admissible alien to bring in or send for his father or grandfather over 55 years of age, his wife, his mother, his grandmother, his unmarried or widowed daughter, whether able to read or not.

It will be noted that the Dillingham bill requires reading and writing and admits only those children of an immigrant who are under 18 years of age, whereas the Burnett bill requires only reading and permits an immigrant to bring in or send for his daughters, irrespective of age, though sons over 16 years of age will be excluded, thus dividing a family.

Both the Burnett bill and the Dillingham bill would in practice exclude almost all those females unable to read and write over 16 years of age coming alone and who may desire to enter domestic service.

If the provision for the literacy test contained in the Dillingham bill requiring words from the Constitution of the United States to be read and written is enacted into law, it would in practice exclude a great many to whom the terms of the Constitution are unknown and for many of which there is no equivalent in their language. They would find it impossible to read the language of the Constitution, and on this account the percentage of exclusions would probably be double that estimated.

On the face of the statistics compiled by the Commissioner General of Immigration 26 per cent of all immigrants would be excluded by the literacy test, though in the case of some immigrants more than 50 per cent would be excluded.

The following table shows the percentages of aliens over 14 years of age who would be excluded by a literacy test:

Abstract of reports of Immigration Commission (Vol. I, p. 99). Number and percentage of immigrants admitted to the United States who were 14 years of age or over and who could neither read nor write during the fiscal years 1899 to 1910, inclusive, by race or people.

[Compiled from the reports of the Commissioner General of Immigration.]

Race or people.	Number 14 years of age or over admitted.	Persons 14 years of age or over who could neither read nor write.	
		Number.	Per cent.
African (black)	30,177	5,733	19.0
Armenian	23,523	5,624	23.0
Bohemian and Moravian	79,721	1,322	1.7
Bulgarian, Servian, and Montenegrin	95,596	39,903	41.7
Chinese	21,584	1,516	7.0
Croatian and Slovenian	320,977	115,785	36.1
Cuban	36,431	2,282	6.3
Dalmatian, Bosnian, and Herzegovinian	30,861	12,653	41.0
Dutch and Flemish	68,907	3,043	4.4
East Indian	5,724	2,703	47.2
English	347,458	3,647	1.0
Finnish	137,916	1,745	1.3
French	97,638	6,145	6.3
German	625,793	32,236	5.2
Greek	208,608	55,089	26.4
Hebrew	806,786	209,507	26.0
Irish	416,640	10,721	2.6
Italian (north)	339,301	38,897	11.5
Italian (south)	1,690,376	911,566	53.9
Japanese	146,172	35,956	24.6
Korean	7,259	2,763	38.1
Lithuanian	161,441	79,001	48.9
Magyar	307,082	35,004	11.4
Mexican	32,721	18,717	57.2
Pacific Islander	336	83	24.7
Polish	861,303	304,675	35.4
Portuguese	55,930	38,122	68.2

Abstract of reports of Immigration Commission, etc.—Continued.

Race or people.	Number 14 years of age or over admitted.	Persons 14 years of age or over who could neither read nor write.	
		Number.	Per cent.
Roumanian	80,839	28,266	35.0
Russian	77,479	29,777	38.4
Ruthenian (Russniak)	140,775	75,165	53.4
Scandinavian	530,634	2,221	.4
Scotch	115,788	767	.7
Slovak	342,583	82,216	24.0
Spanish	46,418	6,724	14.5
Spanish-American	9,008	547	6.1
Syrian	47,834	25,496	53.3
Turkish	12,670	7,536	59.5
Welsh	17,076	322	1.9
West Indian (except Cuban)	9,983	320	3.2
Other peoples	11,209	5,001	44.6
Not specified	67	5	7.5
Total	8,398,624	2,238,801	26.7

But these figures are based on the voluntary statements of the immigrants, and a literacy test would in practical application probably keep out a great many more than the figures above given would indicate, especially with the Constitution as the test, since they are probably underestimates rather than overestimates, and they do not make allowance for the nervousness of the immigrant at the time of examination. Instead of excluding only 2 per cent of the Jews, as stated on page 6 of Report No. 259, Sixty-second Congress, second session, House of Representatives, the above statistics show that 26 per cent of the Jews would be excluded.

Recent statistics of Jewish immigrants to Galveston give the following figures:

	Per cent.
Of 1,333 males:	
Can read Yiddish and Russian	53.89
Can read Yiddish only	24
Can read Russian only	2.83
Can read Yiddish, Russian, and Hebrew	.71
Can not read any language	12.55
Of 220 females: Can not read any language	37.73

These are in the main the victims of Russian religious persecution, to whom the schools are closed on account of the faith they profess. The recent volume by Mary Antin, "The Promised Land," shows from her personal experience that to the Jews of Russia the United States typifies, above all else, the land where their children may have the benefits of education denied them by the Russian Government.

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[Extract from an address by Hon. Charles Nagel, Secretary of Commerce and Labor, delivered on Jan. 18, 1911, at New York.]

I am on record as being unqualifiedly opposed to the illiteracy test. It is not a matter of sentiment. You may indulge sentiment in an individual case, but you can not indulge sentiment in governmental policy. You must know why you come to your conclusion. I think I know why I have come to mine. I care more for the sound body and the sound mind and the straight look out of the eye and the ability and the willingness to work as a test than for any other test that can be given.

I have been asked whether illiteracy stands in the way of assimilation. I say unqualifiedly, in my opinion it does not. On the contrary, to be entirely frank about it, I believe that the ability to read and write a foreign language, aided by your foreign press in this country, tends to perpetuate the spirit of colonization longer than it can be if a sound mind and body comes in without the ability to read and write and is forced of necessity to resort to our own language.

And on October 9, 1912, in a speech at Cooper Union, Secretary Nagel said:

"I am bound to admit that I can not support that law, broadly speaking. I believe it is intended as a piece of legislation for wholesale exclusion, and I don't believe in that kind of legislation. If you want to exclude certain nationalities, say so, and meet the issue squarely. I don't believe literacy is a fair test for the admission of an immigrant. I will say again what I said a year ago, that I care more for the sound body and the sound mind and the straight look out of the eye and the ability and willingness to work as a test than any other test that can be given."

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[From the Annual Report of the Commissioner General of Immigration, 1909, p. 5.]

* * * It can not be stated as a hard and fast rule that the desirability of an alien is always to be measured by his ability to read and write.

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[From the Annual Report of the Commissioner General of Immigration, 1910, p. 5.]

There may be some merit in the proposals to fix a "literacy test" and to increase the head tax; but, as was explained in last year's report, neither of these projects is likely to be as efficacious as their advocates think; for the first is not in the direction, necessarily, of raising the general standard and is not as practical as it looks on the surface, and the second, under the existing system of lending money or selling passage on credit, would to some extent increase opportunities for the exploitation of aliens, and bring many of the lowest element into the country in a more impoverished state than they now come.

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[Extracts from the views of Mr. Bennet, of New York, and Mr. O'Connell, of Massachusetts, House of Representatives, Report No. 1956, part 2, Sixty-first Congress, third session.]

* * * The educational test * * * will keep out some able-bodied men and women of irreproachable moral character and filled with the desire to work, but who have not had early educational advantages; and will admit practically every foreign-born criminal who has misused early advantages, and also that small but dangerous class who come to this country with no intention of engaging in an honest occupation, but of maintaining themselves through the exploitation of their fellow-countrymen. Education is the principal means through which this class obtains the confidence of its victims.

We do not, however, principally oppose the literacy test because of its being a sham, nor entirely because it keeps out many who should be admitted and lets in some who should be debarred, but because the reasons given for restriction are slight and those for selection do not exist. It is true that the Immigration Commission reported that in some basic industries there was a surplus of labor, which indicated that there was an overplus of unskilled laborers in the industries of the country, but the commission unanimously recommended that so far as restriction was concerned it should be applied to unskilled laborers either single or coming here leaving their families behind them. The sole recommendation of the Immigration Commission in regard to the educational test was that it was the most feasible, from which we assume the majority meant that it was the easiest to secure, and even in this we think that that majority was in error. As to the character of the immigrants who have come to this country in the past 25 years, the Immigration Commission—nine men of differing views—reported unanimously that conviction for crime is no more common among the new immigrants than among the native born; that they are far less the victims of disease than any other class of immigrants of whom statistics have ever been kept; that they are rarely found among the victims of alcoholism; that pauperism is relatively at a minimum among them; that in the most congested blocks of cities having the largest foreign-born populations five-sixths of the homes of the foreign-born are well kept and two-fifths are immaculate—and this on the report of women investigators; that their children attend school in large numbers; and that such new immigrants are much more rarely found in the insane asylum than their predecessors.

While we concur in the evident opinion of the commissioner general that the literacy test would not be effective, there is no question about its effectiveness concerning one class, and that is the illiterate aliens who in prior years have been admitted to this country and who are not yet naturalized. In past years, when times have become hard in this country, the alien who had but recently arrived, who was an unmarried man, or who had a family in the country of his birth, went back at the first sign of economic distress, thus relieving this country of any question as to his support. The most recent and impressive example was had during the years of 1907 and 1908, and these returning aliens went cheerfully because they understood that when there was a demand again for labor in this country they could return.

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The moment the literacy test is enacted every alien in this country who can not comply with it, and who has the slightest desire to attach himself to our country, will be attached to this country by the fact that if he once goes out he can not certainly come in, for even the method of administration of the new test is uncertain. And, therefore, if another period of economic distress should come, we would not have the benefit of the economic relief which we had in the recent years through the emigration of those who were least competent to succeed. This would make any subsequent panic or business depression much more disastrous and the recovery much more slow.

* * * * * * *

It has been our boast since the days of Roger Williams, Lord Baltimore, and William Penn that this country was the refuge for the oppressed. On that sentiment, in large part, has been built up our national idea of free America, and because of that sentiment we have attracted here the ambitious of every nation. The free and unrestricted immigration of the able-bodied has not injured our country in the past, but has helped it, and the maintenance of our shores as an asylum for the oppressed has made us an example for liberty everywhere and a continued menace to tyranny. We can not afford, after our emphatic success as exponents of liberty and freedom, to adopt at this time any measure based upon an avowal of our belief that lack of opportunity of any alien people has made them our inferiors, nor can we afford to close our doors to fugitives from oppression and injustice still unfortunately existing. The Russian-Jewish mothers who have seen their husbands and their children killed and maimed in the pogroms have just as much right in this country in the twentieth century as the Puritan and the Pilgrim had in the seventeenth. The Pole and the Finn who has seen his country enslaved have the same rights to come here to freedom and liberty as had William Penn and his Quakers.

The denationalized Roumanian Jew, proscribed because of race and religion in the country of his birth, has the moral right to enjoy our country's Constitution guaranteeing religious freedom. The family of the murdered Armenian Christian from Asia Minor can not be barred without a reversal of all our previous professions and practice, and the South Italian, coming to this country to escape the burden of medieval landlordism, puts his claim on exactly the same grounds as the Irish immigrant of the fifties. In the past the peoples coming to us because of similar reasons have risen among us to standing and success, and there is no reason to believe that those now coming will not do so also. The rigid bill, ordered to be reported, against which we protest, would bar out, irrespective of every other consideration, the people of any of the classes we have mentioned. * * *

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[Extract from the views of Representatives Gustav Küstermann, ADOLPH J. SABATH, and HENRY M. GOLDFOGLE, presented to the House of Representatives on Jan. 28, 1911. House of Representatives, Sixty-first Congress, third session, Report No. 1956, part 2.]

The application of a literacy test would serve to exclude from admission some able-bodied men and women of good moral character, capable of self-support, and industriously inclined, but who owing to the unfortunate and in many instances deplorable conditions existing in their native lands have not had the advantage of education. In some of the countries from which many of the immigrants at which this bill is manifestly aimed come the opportunity of acquiring a knowledge of reading and writing is quite meager, while in some localities in those countries the opportunity for education is to such persons practically denied. And yet these people may be thoroughly honest, thrifty, and enterprising, industrious and self-supporting. When admitted to our shores, thousands and thousands of them avail themselves of the means of the popular and liberal school system almost everywhere afforded in the Union to get a rudimentary education, certainly at least sufficient to enable them to read and write.

In every large city—indeed in every city and almost every large town—men and women of foreign birth are to be found who, when they landed in this country could neither read nor write, have learned to do

so in the schools, either the day or night schools, or obtained their knowledge through private instruction or, as is frequently the case, by being taught by their own children. Hundreds of thousands of such persons have become good farmers and mechanics, storekeepers and tradesmen, and successful and prosperous business men in different lines of industry and have contributed to the general welfare of the communities in which they settled. Myriads of such persons have made desirable acquisitions and became, after they had availed themselves of the opportunities this country affords, desirable citizens.

The children of immigrant parents, whether born here or abroad, quickly acquire an education in our schools. They exhibit eagerness to learn. Statistics demonstrate and experience proves that these children have great aptitude for study and make rapid and, in fact, remarkable educational progress. Very large numbers of them graduate from the schools with honor, many of them go to high schools and colleges. Yet their parents, if illiterate when knocking at the doors of our country for admission, would have been turned away under an educational test such as the bill reported proposes. * * *

We can not but regard the bill as un-American. It is opposed to all the traditions of our country and subversive of the broad principles we have always professed in the past. Our national boast has been that this country was the refuge for the downtrodden and the oppressed, who when coming in a healthy bodily and mental condition and with law-abiding spirit should be permitted to enter our gateway and to receive the hospitable shelter of our land. That sentiment in very large part has built up our national idea of free Americanism. We attract through its means the ambitious from other nations. The immigration of the able-bodied and honestly inclined has heretofore contributed in a very large degree to the greatness and prosperity of this Republic.

The maintenance of our land as an asylum for the oppressed and those who are compelled to escape from scenes of tyranny and persecution has made us an example for true liberty everywhere. In the line of our traditions and of the principles that have guided us in the past, through means of which our country stands preeminent as the land of liberty and freedom and equal opportunity, we can not afford to close our doors to those who still unfortunately suffer from oppression existing in foreign lands merely because they can not read, although otherwise qualified for such admission under existing law.

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[Extract from the veto message of President Cleveland, Mar. 2, 1897.]

A radical departure from our national policy relating to immigration is here presented. Heretofore we have welcomed all who came to us from other lands, except those whose moral or physical condition or history threatened danger to our national welfare and safety. Relying upon the jealous watchfulness of our people to prevent injury to our political and social fabric, we have encouraged those coming from foreign countries to cast their lot with us and join in the development of our vast domain, securing in return a share in the blessings of American citizenship.

A century's stupendous growth, largely due to the assimilation and thrift of millions of sturdy and patriotic adopted citizens, attests the success of this generous and free-handed policy which, while guarding the people's interests, exacts from our immigrants only physical and moral soundness and a willingness and ability to work.

A contemplation of the grand results of this policy can not fail to arouse a sentiment in its defense, for however it might have been regarded as an original proposition and viewed as an experiment, its accomplishments are such that if it is to be uprooted at this late day its disadvantages should be plainly apparent and the substitute adopted should be just and adequate, free from uncertainties, and guarded against difficult or oppressive administration.

* * * * * * *

It is said, however, that the quality of recent immigration is undesirable. The time is quite within recent memory when the same thing was said of immigrants who, with their descendants, are now numbered among our best citizens.

* * * * * * *

The best reason that could be given for this radical restriction of immigration is the necessity of protecting our population against degeneration and saving our national peace and quiet from imported turbulence and disorder.

I can *not believe that* we would be protected against these evils by limiting immigration to those who can read and write in any language 25 words of our Constitution. In my opinion it is infinitely more safe to admit a hundred thousand immigrants who, though unable to read and write, seek among us only a home and opportunity to work than to admit one of those unruly agitators and enemies of governmental control, who can not only read and write, but delights in arousing by inflammatory speech the illiterate and peacefully inclined to discontent and tumult. Violence and disorder do not originate with illiterate laborers. They are rather the victims of the educated agitator. The ability to read and write as required in this bill in and of itself affords, in my opinion, a misleading test of contented industry and supplies unsatisfactory evidence of desirable citizenship or a proper apprehension of the benefits of our institutions. If any particular element of our illiterate immigration is to be feared for other causes than illiteracy, these causes should be dealt with directly instead of making illiteracy the pretext for exclusion to the detriment of other illiterate immigrants against whom the real cause of complaint can not be alleged.

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[Extract from the remarks of Prof. Emily Greene Balch, Wellesley, College, author of Our Slavic Fellow Citizens, at meeting of the American Economic Association, Washington, D. C., Dec. 29, 1911.]

I do not include the illiteracy test among the measures that I desire, because I believe that it would affect exclusion along a line that would cause great hardship and that is not coincident with desirability and undesirability from our point of view. The minor who can not read Ruthenian and whose son came over from Harvard recently to consult me about the social work that he wants to do among his people in Pennsylvania was better stuff and better fitted to prosper in America than the unsuccessful "intellectual proletariat" who come to America to recoup their failure at home. Of course I am citing an exceptional case, but I believe that it is a fact that most Americans have an entirely false conception of the real significance of peasant illiteracy, which need not connote a lack of either energy or intelligence. The advantage, too, when here, of the ability to read and write in a foreign language is vastly overrated and the barrier that it sets up to assimilation is quite overlooked.

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[Extract from the testimony of Miss Grace Abbott, director of the Immigrants' Protective League, Chicago, before the Committee on Immigration, House of Representatives, Jan. 11, 1912.]

I feel very strongly that it would be a great mistake to have a literacy test, because of the fact that there are many parts of Europe, notably in Galicia, and in parts of Russia and Hungary, as well as in southern Italy, where the possibility of getting an education is often extremely difficult. To exclude them would mean excluding a group of people who are eager to advance their position, who are willing to make great sacrifices in order to do it, but who happen to lack the ability to read and write. Great numbers of them supply that lack immediately upon coming here, and some come in order to supply it. The literacy test is no guaranty of character, and it seems to me its adoption would be a departure from American traditions which would not be beneficial to the American industrial situation.

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[Extract from the testimony of Herman Stump, former Commissioner General of Immigration, before the Industrial Commission. Report of the Industrial Commission, Vol. XV, p. 6.]

My idea of immigration is this: We have, in my mind, the most skillful and best laboring class in the world; I think American workingmen are superior to others. It may be in some of the finer arts, where it takes long to acquire the skill that is required, it is not so, but for the production of work, with our improved machinery, we can beat the world. We are also an educated people. We want our sons to become our clerks, accountants, and business men, and find employment on the higher walks and occupations. We must necessarily have a certain other class to do our manual work, not menial exactly, but work which is honorable but at the same time of a lower order, which requires no skill or education. We want laborers upon our roads, upon our railroads, to clean our sewers and streets, and everything of that kind, and when you look around I think you will find that Americans are getting beyond that. A young able-bodied man who comes from a foreign land to settle here, with energy and willingness to work, is an acquisition to the country, and while we do not want him to occupy the positions which education would enable him to occupy, we want him to occupy the positions where it does not matter much whether he knows his A B C's or the simple rule of three or anything else.

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[Extract from the testimony of Dr. Joseph H. Senner, former Commissioner of Immigration at the Port of New York, before the Industrial Commission. Report of the Industrial Commission, Vol. XV, p. 168.]

Based on my extended practical experience in charge of the paramount immigration station, I state that with the present number of inspection aisles and of available registry clerks, an introduction of the Lodge bill would much more than double the time for examination, and thereby double the hardships of steerage passengers. Its practical effect would, therefore, in my opinion, come dangerously near to an annihilation of immigration from nations of higher grade.

In order to dispose right here of the Lodge bill, I wish to state that our opposition to the same is principally based on our conviction that the proper time for such an educational test is at the time of naturalization and not upon admission to the country. We further regard its application to women as not only generally unjust, but practically also as a severe aggravation to our much vexed servant-girl question. We believe that its introduction for immigrants stands in a rather curious contrast with the present policy of expansion and its consequence as to wholesale reception of illiterate, if not savage, cocitizens. And finally, as a protective measure for American workingmen, the Lodge bill would be simply a farce, because the skilled laborer, whose competition organized labor wishes to restrict, could at any time pass any such examination.

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[Extract from an editorial in New York Christian World, Mar. 18, 1911.]

Every year there are attempts to foist upon Congress bills to prevent immigration. Now it is one form of test now another. At present it is the so-called educational test that the perpetrators of these bills would insert in our immigration laws. As a matter of fact, there could hardly be a more deceptive test of real worth. The public-school system is not developed in many parts of Europe as it is here, or had not been until very recent years. Consequently many who have been coming here have not been what one might call scholars. Not always could they read and write. But these very ones have often been our best immigrants—strong, lusty, ambitious, good-natured, hard-working young men. The proposed educational test would shut out just these men who are tilling our farms, building our houses, laying our railroads and bridges, digging our coal from the earth. Many of them, under the stimulus of American surroundings, and since it is necessary, if they would have a share in the American Government, learn to read. The New York night schools are full of adults learning reading and other useful accomplishments. Their children learn with greatest avidity. The test of immigration should be health and morality. We can not afford to be the hospital for those Europe has made sick so long as Europe can afford to care for them, neither can we act as the penitentiary for her criminals; but apart from this we should welcome the immigrants freely, for they are our wealth.

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[Extract from a protest against the proposed new immigration law, presented to the President by a delegation of citizens of Philadelphia, after conference with Speaker CANNON and the Pennsylvania congressional delegation, June 23, 1906.]

It is submitted that an immigrant should not be denied admission to our country if he is morally, physically, and mentally sound; that inability to read is not a fair measure of a man's moral worth nor of his economic value nor of his mental capacity; in short, it is not a fitting test of a man's honesty nor of his capacity to work with his hands nor of his ability to learn. Experience proves that moral soundness—simple honesty—is independent of intellectual culture; many men are morally sound notwithstanding their ignorance, and many others are morally unsound in spite of their education.

The ability to read is not a fair measure of a man's economic value, because experience proves that a man's capacity to earn a living is not necessarily dependent on intellectual culture.

* * * * * * *

A man's inability to read is not a fair test of his intelligence nor of his ability to learn. Many men are so circumstanced as to be precluded from learning how to read. This occurs in some cases, as in that of the Jewish inhabitants of Russia and Roumania, through governmental measures enforced for that very purpose, or, as in the case of other subjects of those Governments and of some of the inhabitants of other European lands, through hindering causes of a sociological nature. Such privation, though preventing a man from learning life through literature, does not prevent him from learning through experience; on the contrary, it quite frequently enhances this latter capacity, as numerous instances prove. It is therefore in the highest degree unreasonable to

assume that a man's inability to read so strikingly impairs his value as a factor in the social economy that he must be completely debarred from taking part in it.

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[Extract from an article on "Adjustment—not restriction," by Miss Grace Abbott, director of the Immigrants' Protective League, Chicago, Survey, Jan. 7, 1911, p. 529.]

As for the literacy test, it is difficult to find anything to recommend it as the best means, or even as a good means, of selecting our future citizens. What we desire is a character test, and the ability to read and write has never been regarded as a means of determining honesty or thrift. It is not even a test of ambition, for the immigrants come without the meager educational equipment because they have been given no opportunity to attend school in the countries from which they come. There is nothing which is so much the result of conditions over which the immigrant has no control as his ability to read and write and no deficiency which we are so well equipped to supply.

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[Views of Hon. J. HAMPTON MOORE, of Pennsylvania, House of Representatives, Report I, 1956, part 2, Sixty-first Congress, third session., Jan. 28, 1911.]

I am opposed to restriction of immigration by the illiteracy test, because the enforcement of such a test would tend to exclude worthy but uneducated immigrants who are willing to work, and of whom we stand in need, and would admit unworthy, educated immigrants who will not work and of whom we already have more than we need. In my judgment the desirable immigrant is the law-abiding worker who comes to this country in good faith, and the undesirable immigrant is the clever and educated schemer who, immediately upon his arrival, begins to find fault with our institutions.

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[Extract from a speech of Hon. John C. Keliher, of Massachusetts, in the House of Representatives.]

I would ask you to follow me in your mind's eye under the bed of Boston Harbor, where Yankee enterprise and energy have bored an immense tunnel with an opening of sufficient size to permit of a double-tracked roadbed that brings inestimable joy to the denizens of a great section of the city in the form of convenience and comfort in reaching their homes from the business locality of the city. Could this work have been done as economically and with the dispatch that characterizes it if countless sons of sunny Italy had not been at hand? Go with me also into the subway we are now building in Boston, which will be a boon to all the people of that congested city. Toiling like beavers in a cut, the arch of which is scarcely 15 feet under the foundation of a 13-story building, can be seen by night and day myriad Italians toiling with no apparent thought of the great danger that ever hovers over this hazardous enterprise. It is safe to say that if a knowledge of the art of reading were the test demanded, rather than a sound body and willingness to swing a pick, there would be scarcely a mother's son of them engaged upon that great public project. Now, with what class of labor do these Italians interfere? The Irishman of to-day won't go into the trench unless it is to act as a boss; the German can not be induced to grasp a pick; the native American's physical make-up would bar him if he did not consider such menial labor beneath him; the Scandinavian finds ample demand for his service in more congenial branches; the Englishman answers the call of the mill proprietor, and the Scotchman goes with him.

If you shut the door to the dark-skinned son of Italy, where will we go to get the commodity which to us is an essential? The second generation, the son of the trench-digging Italian, won't follow his father's footsteps in those fields. He goes to school, absorbs book-learning quickly, and becomes imbued with a laudable ambition to better himself, and he does. You could no more coax him to wield a pick or handle a shovel than you could a Sioux Indian to imbibe water as a social beverage if whisky were available. This being so, if you bar out the Italian, Pole, and Hungarian, from whence are we to recruit our trench diggers?

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[Extract from a speech of Hon. Bourke Cockran, of New York, in the House of Representatives.]

We who oppose the educational test believe the man who works with his hands, who is trained to efficiency in labor, is the desirable immigrant. The test that we wish to impose is one that will establish his ability and his willingness to work. * * * There is not a vicious man in any community outside of the poorhouse that is not more or less educated. He can not live by his wits rather than by his hands unless those wits are trained to some extent. Any unlettered immigrant shows that he must have virtuous instincts by the very fact that he comes here, for he can have no other purpose than to support life by his toil. I believe that it is more important that the applicant for admission to these shores should be made to show by the calloused palms of his hands that he is accustomed to work than to show glibness of tongue in meeting a literary test.

Mr. Chairman, let us consider in the light of ordinary experience what must happen to the man who comes here with nothing except the capacity to work. He must work to live, and he must work hard all day. No man who spends all the hours of the day in work can be vicious. Even if he had vicious propensities, he would have no time to indulge them. How can any man work from morning until night, increasing the production of the soil, and be other than a valuable citizen? The man who comes here where no mode of living is possible to him except by the work of his hands gives a bond to society that his life, if it be supported at all, must be spent in actively serving the common welfare. The unlettered man can live only by work. The educated man never wants to live by manual labor. If I were reduced to a choice—and I do not want to exclude anybody—but if I were reduced to a choice between the man who could stand this educational test and the man who could not—if I must exclude one or the other—it would be the man with such a literary qualification as the bill provides, for he may lead a vicious life, while the man who works with his hands can not lead other than a useful because an industrial life.

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[Extract from an address made by Judge Nathan Bijur at the Massachusetts Reform Club, on Jan. 28, 1907.]

On the other hand, it is a matter of common knowledge that thousands of honest, sturdy, and intelligent natives of many European countries are illiterate, due solely to the lack of educational facilities in the country of their origin and residence. The fact is well known to every person having experience with this class of immigrants that in this country they rapidly acquire sufficient familiarity with our language to overcome their early disability.

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[Letter of Cardinal Gibbons.]

CARDINAL'S RESIDENCE,
408 NORTH CHARLES STREET,
Baltimore, Md., May 5, 1912.

Rabbi WILLIAM ROSENAU,
1515 Eutaw Place, Baltimore, Md.

MY DEAR MR. ROSENAU: I am in receipt of your esteemed favor of the 3d instant, and in reply I beg to say that I am not in favor of any educational test as applied to immigrants desiring to enter the United States. Such a law, if passed, would, in my opinion, work great harm, for illiteracy is by no means always ignorance. If the immigrant is industrious and thrifty, he will make a useful citizen, whether he be literate or illiterate. The educated schemer is in more ways than one more dangerous than the honest workman, even though he be illiterate.

Very sincerely, yours,

J. CARDINAL GIBBONS,
Archbishop of Baltimore.

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[Letter of President Eliot of Harvard University.]

CAMBRIDGE, MASS., *February 14, 1910.*

Hon. JOSEPH F. O'CONNELL,
House of Representatives.

MY DEAR SIR: I beg leave to invite your attention to the following statement of the principles which should govern the national legislation on immigration:

(1) Our country needs the labor of every honest and healthy immigrant who has the intelligence and enterprise to come hither.

(2) Existing legislation is sufficient to exclude undesirable immigrants.

(3) Educational tests should not be applied at the moment of entrance to the United States, but at the moment of naturalization.

(4) The proper education test is capacity to read in English or in the native tongue, not the Bible or the Constitution of the United States, but newspaper items in some recent English or native newspaper which the candidate can not have seen.

(5) The attitude of Congress and the laws should be hospitable and not repellant.

The only questions which are appropriate are. Is he healthy, strong, and desirous of earning a good living? Many illiterates have common sense, sound bodies, and good characters. Indeed, it is not clear that education increases much the amount of common sense which nature gave the individual. An educational test is appropriate at the time when the foreigner proposes to become a voting citizen. He ought then to know how to read.

Very truly, yours,

CHARLES W. ELIOT.

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[Letter of President John Cavanaugh, C. S. C., of Notre Dame University.]

NOTRE DAME, IND., *February 26, 1910.*

The Hon. JOSEPH F. O'CONNELL,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN O'CONNELL: * * * I am not in favor of any educational test as applied to immigrants desiring to enter the United States, though an educational test is entirely proper before naturalization.

* * * * * * *

Very sincerely, yours,

JOHN CAVANAUGH, C. S. C.,
President.

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[Letter of President Harry Pratt Judson, of the University of Chicago.]

THE UNIVERSITY OF CHICAGO, *February 28, 1910.*

Hon. JOSEPH F. O'CONNELL,
House of Representatives, Washinton, D. C.

DEAR SIR: * * * I am not in favor of the restriction of immigration on the basis of the ability to read some European language. There is no doubt that the ability in question is desirable. At the same time the conditions of workingmen in the old country and their conditions in our country are radically different. If they are industrious and honest and thrifty, they will make useful citizens, and their children, having the opportunity of attending our free public schools, will acquire the needed education. * * *

Very truly, yours,

HARRY PRATT JUDSON.

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[Letter of President Joseph Himmel, of Georgetown University.]

GEORGETOWN UNIVERSITY,
Washington, D. C., February 28, 1910.

Hon. JOSEPH F. O'CONNELL,
House of Representatives.

SIR: Regarding the educational test as a means of restricting immigration, on which question there is an agitation to report out a bill, I beg leave to submit the following:

(1) The educational test should be applied to the voter, not to the immigrant.

(2) The laws restraining immigration are sufficiently drastic, and if put into execution will safeguard the country. Those who have openly taught immorality and favored anarchy should be excluded rather than the illiterates.

An illiterate artisan is not necessarily an ignorant or undesirable immigrant. Our whole past history proves that such men may serve the country in their proper sphere.

Very truly, yours,

JOSEPH HIMMEL, *President.*

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[Letter of President J. G. Schurman, of Cornell University.]

CORNELL UNIVERSITY,
Ithaca, N. Y., March 4, 1910.

Hon. JOSEPH F. O'CONNELL,
House of Representatives, Washington, D. C.

DEAR SIR: I have your communication of February 23, with the inclosed copy of the letter of ex-President Eliot, of Harvard University, on the subject of the admission of immigrants into the United States.

I fully concur in the views expressed by President Eliot, and I do not think I can express them in clearer, more forcible, or appropriate language.

Very truly, yours, J. G. SCHURMAN.

[Letter of President T. I. Gasson, of Boston College, Boston, Mass.]

BOSTON COLLEGE,
Boston, Mass., February 25, 1910.

Hon. JOSEPH F. O'CONNELL,
Washington, D. C.

MY DEAR MR. O'CONNELL:

* * * * * * *

(1) Does not the country need the toil of every intelligent, active, and moral worker who comes to us?

(2) The proper time for the educational test is when the immigrant seeks to be naturalized.

(3) Let existing legislation be enforced before new laws are enacted. The wise regulations already made, if enforced, would bar out undesirable subjects.

(4) There are millions of acres in the West waiting for these farm-loving immigrants. I am sure that you will insist upon these truths.

Ever yours, sincerely,

T. I. GASSON, S. J.

RATIO OF FOREIGN BORN TO NATIVE BORN UNCHANGED.

Much is made by restrictionists of the supposed enormous influx of foreigners, and especially of the change in the racial character of immigrants. For their purposes they characterize the immigration which arrived here before 1890 as the "old" immigration and that which has arrived since then as the "new."

But there has been practically no change in the ratio between foreign born and native born, as is demonstrated by the following table:

Census year.	Total population considered.	Native born.		Foreign born.	
		Number.	Per cent of total.	Number.	Per cent of total.
1860	31,443,321	27,304,624	86.8	4,138,697	13.2
1870	38,558,371	32,991,142	85.6	5,567,229	14.4
1880	50,155,783	43,475,840	86.7	6,679,943	13.3
1890	63,069,756	53,761,652	85.2	9,308,104	14.8
1900	76,303,387	65,843,302	86.3	10,460,085	13.7
1910	91,972,266	78,629,766	84.3	13,342,500	15.7

The change in the source of our immigration is due to the simple fact that in the countries from which the United States before 1890 drew the bulk of its immigration there has been an enormous industrial and economic expansion. And this, as is well known, is particularly true of Germany, which has become a country of immigration instead of one of emigration. Owing to the industrial development of that country, so many agricultural laborers have been drawn into skilled industries that great numbers of unskilled laborers are attracted from Austria-Hungary, Russia, and Italy—the same countries that supply the United States with the bulk of its unskilled labor.

The characterization of the present-day immigration as coming from a source out of harmony with the spirit of American institutions and not readily assimilable on that account can be matched almost word for word by a similar characterization of the "old" immigration dating back to the beginning of the nineteenth century. (See Report of Industrial Commission, 1901, Vol. XV, pp. 449–491, and Hearings before House Committee on Immigration, 62d Cong., 2d sess., pp. 95–98.)

[Speech of Senator JAMES A. O'GORMAN delivered in the Senate on Apr. 18, 1912.]

I am opposed to the imposition of an educational test upon those born in foreign countries who desire to come to the United States. I think it would be regrettable to exclude thousands of able-bodied, honest, and industrious men, otherwise desirable, who might not be able to meet the requirements of this proposed qualification.

It is said in behalf of this amendment that the large number of foreign born who pass through the ports of the United States enter into competition with American labor. That is true; it has always been true; it was as true a generation ago as it is to-day; and yet in its results the entire country has been benefited.

This proposal to exclude foreigners has no novelty. This Republic had but completed the first decade of its existence when, in the administration of John Adams, the same sentiments which I have heard expressed on this floor to-day and yesterday were uttered against the foreign born. To discourage immigration, as far back as 1798, under the influence of the Federalist Party, the period of naturalization was extended from 5 to 14 years, and during the same session of Congress and under the same influences the odious alien and sedition laws were passed, which conferred upon the then President of the United States the power to exclude at his will any foreigner found upon American territory. It is to the honor of our institutions and to the glory of the Republic that the shame and infamy of that legislation was wiped out when the Democrats of this country elected Thomas Jefferson to the Presidency.

From time to time in every succeeding generation there have been those who were opposed to the admission of the foreign born into the brotherhood of the Republic. The same arguments were used then that are used now. Within the memory of men in this Chamber it was said of the races which are now glorified and alluded to as the "old immigration" that they could not be assimilated with the American body politic. That those accusations in those days were unfounded has been demonstrated by the experience of the American people. That the aspersions now cast upon the races from southern and eastern Europe are equally unfounded will be established in time.

We are not crowded on this continent. The population of all Europe might be placed in the single State of Texas, and there would be less congestion than now prevails on the Continent of Europe. If there ever come a time when the American people may deem it necessary to impose restrictions upon desirable immigration, the time will not come in our generation; and if a restriction should be required, if it should be deemed wise as a national policy to discourage immigration, let us proceed upon a safe and sound theory; let us make the qualification that of character and not educational attainments.

Our country is enriched every time an honest, able-bodied man enters the United States. Our institutions are threatened, our safety imperiled, when we become careless respecting those who, possessing an intellectual qualification, are devoid of that which is far more essential, a character qualification. Washington himself spoke of the need of preserving the morality of our people. With this proposed test you ignore the morality of your citizenship; you ignore the question as to whether in character the man is worthy to take his place in this great Republic and help to work out those problems that promise so much for the betterment and happiness of mankind.

For many years in our history we claimed to be the country that extended a welcome to the oppressed from every clime. Why have we changed? Are we so content with our own insulation and with the blessings of our institutions that we would exclude the rest of the people of the world from sharing in their advantages? Our marvelous prosperity, unexampled in the history of governments, a growth in a century and a quarter from 3,000,000 to 90,000,000 people, was made possible only by the policy of free immigration that this country has so generously and so wisely observed in the past. The foreign born have contributed their share of energy, devotion, and patriotism to the greatness of the Republic.

I can find nothing in the suggestions of Senators who have spoken on the other side of this proposition to incline me to yield to their view. I shall vote against every educational test. Impose any character test, and it will have my support.

[From a speech of Senator WILLIAM J. STONE, of Missouri, Apr. 19, 1912.]

Of course, education, enlightenment, is most desirable. Universal education is a part of our national policy. All the States are striving, at great public expense, to educate their children. Ignorance is to be regretted. But, Mr. President, I want to say that I do not believe that the people who are ignorant of book lore—the unlettered people—who come to us from Europe are the agitators who stir up and disturb the social and industrial life of America. Education, even rudimental education, is greatly to be desired. Education better fits a man or woman to fight the battle of life in this remarkably intelligent age in which we are living. But, Mr. President, there are in all countries, America among them, thousands of people—law-abiding, honest, industrious, patriotic people—who can neither read nor write, but who are anxious that their children should enjoy better advantages than have come to them. Such people—good, moral, honest, industrious people—come here from Europe, bringing their little ones with them, seeking to enjoy all the wider and better advantages of this great free Republic of ours. These are not bad people; they are good people. We know, if we know anything, that the evangels of the red flag and the disturbers of public order are composed of a class of men who are smart, who are educated, who speak with glib tongues, and who have the power of arousing the passions of their listeners. A man of this type I would exclude, even though he held a college degree; but I would not exclude an honest, law-abiding man merely because he could neither read nor write. This proposed policy is a reversal of our entire national policy up to this time.

* * * * * * *

Mr. President, before closing these observations I wish to say that this literacy test in this bill smacks too much of Know-Nothingism and A. P. A.ism to command my support. All of you are familiar with the old Know-Nothing propaganda, and you are also familiar with the more recent revival of that propaganda under the name of the American Protective Association. Both of these movements were intended to lay drastic and most intolerant proscription upon foreign-born people and upon the membership of the Catholic Church. The era of Know-Nothingism was before my day, but I know as a matter of history that the Democratic Party fought the movement tooth and nail and destroyed it. When A. P. A.ism was projected and raised a threatening hand against the equality of American citizenship because of the accident of birth and because of religious conviction I happened at that time to have the honor of being the governor of Missouri. Without a moment of hesitation I put myself in opposition to the movement. At the meeting of the Democratic State convention in 1894 I wrote a resolution denouncing A. P. A.ism and was successful in having it incorporated in the party platform then adopted. The Democratic Party as an organization followed a similar course throughout the country, and A. P. A.ism, like Know-Nothingism, disappeared as an active force in public affairs. Still there can be no doubt that the intolerant spirit of these movements remains. It lurks quiescent, but it is still in the minds and hearts of many men. I will not say, for I would be most unwilling to believe, that any Senator supporting this educational test approves the intolerant spirit and un-American doctrines of Know-Nothingism or A. P. A.ism; nevertheless, this educational test is but one form of giving new life and vigor to that spirit and those doctrines. I can not support a proposition so strongly marked with intolerance as this one. Why should we deny admission to an honest, manly man of good health and strength and against whose character no word can be spoken simply because, unfortunately, his environments and opportunities have been such as to deny him the advantages of an education? Why, sir, if it had been the rule in many of our States that no man should exercise the right of suffrage who could not read and write, that rule would have disfranchised thousands of honest and patriotic men who believed in orderly government and who stood ever ready to defend American institutions. It has been said with apparent good authority that the parents of more than one man who became President of the United States were illiterate. This we know, that the descendants of men who could neither read nor write have made great names for themselves and added luster to our history. Mr. President, keep out immoral and wicked people; keep out those likely to become a public charge; keep out those who would foment disorder and make war upon our institutions and civilization; but I invoke you not to turn back honest men or virtuous women—men and women who want to work, improve their conditions in life, educate their children, build happy homes, and make themselves good citizens, capable of doing good service to the country—simply and only because they are uneducated.

[Remarks or Senator JAMES E. MARTINE, of New Jersey, in the United States Senate Apr. 18, 1912.]

Mr. President, I can not vote for the literacy test in this bill as a passport to this country. Forty to fifty years ago 90 per cent of the immigrants that came to this country came from Ireland and Germany, and scarcely one of them could have stood this test; and yet all those immigrants, or practically all of them, became industrious citizens,

amassed money, yes, fortunes, through their thrift and ambition, and their children to-day are among the best citizens of this country. Education to a man or woman of evil character and disposition will make him or her most dangerous.

Mr. President, this test would have kept my mother, from whose bosom I drank the milk of justice and liberty, from this fair, fair land. I believe that this great country, blessed of God, can digest and assimilate all of the nations of the earth. I have no fear. Let our test be clean morals, sound and clean bodies, and, with a public-school system, we can safely trust the rest to God. As Heaven is my witness, I will never vote to pass a measure that makes this ungenerous and unjust exaction on the part of a free people.

CONGESTION IN LARGE CITIES.

With regard to congestion in large cities, which is also put forth as an argument for further restriction, the following, taken from the abstracts of the report of the Immigration Commission, shows how much this has been exaggerated:

[Extract from Reports of the Immigration Commission, Vol. I, pp. 36–37.]

Of late years the general impression that owing to immigration the poorer districts of the large cities are greatly overcrowded and that in consequence the living conditions are insanitary and even degrading has been so prevalent that it seemed desirable to make a very thorough investigation of this question. In consequence, in seven cities—New York, Philadelphia, Chicago, Boston, Cleveland, Buffalo, Milwaukee—a very careful study was made of the conditions prevailing in the poorer quarters of the city inhabited by immigrants of various races. As was to be expected, many extremely pitiful cases of poverty and overcrowding were found, at times six or seven or even more people sleeping in one small room, sometimes without light or direct access by window or door to the open air. On the whole, however, the average conditions were found materially better than had been anticipated. Moreover, a comparison of the conditions in a great city like New York or Chicago with those in some of the smaller industrial centers, such as mining or manufacturing towns, shows that average conditions as respects overcrowding are very materially worse in some of the small industrial towns than in the large cities. For example, the per cent of households having six or more persons per sleeping room of the race which showed the worst conditions in these large cities was only 5.2, whereas in the industrial centers studied in several cases the proportion was higher than this, and in the case of one race as high as 9.5 per cent.

Moreover, in the large cities the population changes much more frequently than is generally thought. New immigrants are attracted to these poorer residential quarters by the presence of friends or relatives and the necessity of securing living quarters at the lowest possible cost, but as their economic status improves after living in this country for some time, they very generally move to better surroundings. The undesirable districts of the cities that are now inhabited largely by recent immigrants were formerly populated by persons of the earlier immigrant races. Few of these are now found there, and these remnants ordinarily represent the economic failures—the derelicts—among a generation of immigrants which, for the most part, has moved to better surroundings.

In many instances, too, where deplorable conditions were found they were due in part, at any rate, to circumstances over which the inhabitants have little direct control, such as a poor water supply or insanitary drainage—matters that should be attended to by the city authorities.

While instances of extreme uncleanliness were found, the care of the households as regards cleanliness and an attempt to live under proper conditions was usually found unexpectedly good, about five-sixths of all the families visited in the poorer quarters of these large cities keeping their homes in reasonably good or fair condition.

There seems to be little doubt that the various races, owing presumably to their differing environments in Europe, differ somewhat as regards overcrowding and the care of their apartments, but the differences are less than might have been anticipated. The reports seem to indicate clearly that the chief cause of the overcrowding is a desire of the families to keep well within their income or to save money, even at the expense of serious discomfort for the present, in order that they may better their condition in the future. The worst conditions were found among those who live in boarding groups, largely unmarried men, whose purpose in the main is to save money in order that they may send it back to their home country or return thither themselves as soon as a sufficient amount has been secured.

RECENT COMMENTS ON PROPOSED IMMIGRATION LEGISLATION WITH SPECIAL REFERENCE TO THE PENDING DILLINGHAM BILL, S. 3175.

ADMINISTERING THE IMMIGRATION ACTS.

The ideal immigration law, like the ideal law on any subject within the competence of Congress, should embody certain elementary principles. It should state its purpose plainly instead of by implication. It should go at its purpose directly and not circuitously. It should be so worded as to give the least possible opportunity for the arbitrary exercise of administrative discretion compatible with the execution of the people's will as expressed through their Representatives in Congress. If, at any time, the majority of our people comes to be in favor of restricting immigration, such a policy should be frankly stated and honestly carried out. To legislate by means of administrative regulation is a common enough practice in every country. But it is a method that is peculiarly objectionable when applied to so human a problem as the right of free entry into this country. We can not deal with men and women as Germany's tariff authorities deal with American cattle. When tariff relations between the two countries are pleasant, Germany's "sanitary" precautions against American meat products function kindly. When tariff difficulties arise, Germany need not resort to formal reprisals; the sanitary inspection of American food imports merely becomes very rigid. This is a form of lawmaking by bureaucracy which we ought never to think of in connection with our immigration problem.

Such general considerations must enter into any just opinion of the bill for regulating immigration introduced by Senator DILLINGHAM last summer, and reported with amendments by the Senate Committee on Immigration last week. Several of the provisions in this measure are objectionable, because they contravene the requirements of an honest, above-board immigration policy. The bill contains clauses that are apparently intended as entering wedges for restriction. Ingress into this country is to be surrounded with increased administrative formalities. The right of reentry for aliens is put into question. By defining "aliens" for all administrative purposes of the law as all persons not native born or naturalized citizens of the United States, questions are raised with regard to the wives and minor children of citizens. The provision for the exclusion of "persons not eligible to become citizens by naturalization" is intended as a restatement of the Chinese exclusion acts, but contains the germs of possible misunderstanding with regard to Japanese, Koreans, Malays, and other Asiatics. More than that, it raises the danger of assimilating the execution of our general immigration laws to the methods pursued under the Chinese exclusion acts. Administrative regulations that have hitherto come into play against the Chinese may tend to become general. Restriction will be apt to become exclusion. That may be the intention of the framers of the bill. If so, it should be honestly stated.

Objections of a like nature rise against that clause of the bill which provides that all immigrants shall secure certificates of admission and identity, as well as return certificates upon leaving this country. This not only builds up very serious difficulties about the process of entry and egress, in this country, but tends to create a registry or passport system which is alien to the spirit of our institutions, and, being applied only to one element in the population, takes on the character of class discrimination. In 1882, President Arthur, in a well-known veto message, declared:

"Without expressing an opinion on that point, I may invite the attention of Congress to the fact that the system of personal registration and passports is undemocratic and hostile to the spirit of our institutions. I doubt the wisdom of putting an entering wedge of this kind into our laws. A nation like the United States, jealous of the liberties of its citizens, may well hesitate before it incorporates into its policy a system which is fast disappearing in Europe before the progress of liberal institutions. A wide experience has shown how futile such precautions are, and how easily passports may be borrowed, exchanged, or even forged by persons interested to do so."

We need only think of the merry game of evasion that attends upon the execution of the Chinese exclusion laws to forsee the opportunities for fraud and the miscarriage of justice under a similar practice applied to our vast European immigration.

To a policy of regulation that is indeed regulation no objections can be made. Restriction upon European immigration so far has been almost entirely based on reasons of public health and public morals. It is stated that the deportations of aliens from this country constitute 1 per cent of the total number of arrivals. Though this means a large number of persons in the aggregate, it is perhaps not too large a percentage of insurance against alien disease and crime. But to make medical inspection and administrative routine part of an unwritten scheme for checking immigration is quite another thing. The intelligence and conscience of the country are not behind such measures. (New York Evening Post, Jan. 24, 1912.)

OUR IMMIGRATION POLICY.

To the EDITOR OF THE EVENING POST.

SIR: Your recent editorial on the Dillingham immigration bill (S. 3175), now pending in the United States Senate, should appeal to all Americans. As the purpose of that bill is to amend and codify our immigration laws it should be carefully scrutinized. In addition to the objections named by you, it would give warrant to the average inspector to exclude more than a majority of the incoming immigrants. Under the law as it now stands at least 40,000 were deported during the last two years. The act of 1907, after enumerating several excluded classes, names beggars, paupers, and persons likely to become a public charge. Now, in addition, it is proposed by this bill to add in section 3 a new class, denominated "vagrants." Under this head, inspectors must deport persons (otherwise admissible), "homeless," "wanderers," "who go from place to place," without occupation, and beggars, as defined by the dictionaries. Will not a large majority of immigrants, for the time being homeless, wanderers, without occupation, come under one of these definitions? Would it not have excluded many of our best citizens of foreign birth if adopted earlier in our history?

We all agree that undesirable aliens should be excluded; but home-seekers, otherwise admissible, should not be excluded even though "homeless and wanderers from place to place, and without actual occupation," even though illiterate, for such are needed to develop the unoccupied acreage of the South and West, and the abandoned farms of the Eastern and Middle States, with the intensive farming to which they were accustomed in the fatherland; and to open our mines and to build our roads, aqueducts, tunnels, and canals.

The term "vagrants" is otherwise unfortunate, as it is used by the police in making arrests of suspects and persons sought under extradition proceedings against whom no charges are brought for offenses against local laws. When requested by chiefs of police in other jurisdictions to make such arrests, the charge of "vagrant" is used, for want of something definite. It is too elastic and can be used by immigration officials to exclude multitudes (otherwise admissible), to suit a policy of extreme restriction, on the part of biased immigration inspectors.

My point of view is that of a citizen, a taxpayer, a member of many patriotic ancestral societies, who loves his country and honors its flag. As such I object to the proposed policy of extreme exclusion; I object to the proposed literacy test as applied to robust young farmers, and I believe that good results will follow the adoption of admitted aliens, as wards of the Nation, until they acquire English and learn the rights and duties of citizenship.

J. AUGUSTUS JOHNSON,
New York Evening Post, January 29, 1912.

INJUSTICE IN IMMIGRATION BILLS.

Strong disapproval of the Dillingham bill reported by the Senate committee, further restricting immigration, was expressed yesterday by Max J. Kohler, of 30 Broad Street, who is a member of the committee on immigration of the National Conference of Charities and Correction, of which President Emeritus Eliot, of Harvard, is chairman. Since the bill was reported by Senator LODGE a similar bill, only more restrictive in that it restores the illiteracy test for immigrants which was dropped by the Senate committee, has been introduced in the House of Representatives by Mr. FOCHT, of Pennsylvania. Mr. Kohler took exception to both bills, as well as to the Lodge report on the Senate measure.

"That report," he said yesterday, "was calculated, very likely unintentionally, to keep the public in ignorance of radical changes of a revolutionary character in the proposed law. The vague language of the report and its failure to call attention to the important provisions of the bill are probably responsible for the failure of the press to refer to these radical changes which would not otherwise have escaped strong comment.

"One very important provision of this sort is veiled in the report by language referring simply to a proposed consolidation of the Chinese immigration service with the general immigration service in the interest

of economy.' As a matter of fact, section 3 of the bill, to which the report here alludes, excludes all persons not eligible to become citizens by naturalization, with specified exceptions, and provides for certificates of admission and identity for all admitted aliens against which certificates of readmission upon the departure of such aliens from the United States are to be issued.

"WOULD VIOLATE TREATIES.

"This provision is in substance a reenactment of the Chinese-exclusion laws, except that it extends them to other Asiatics such as Japanese, Koreans, Malays, and the like. The statute would violate our treaties with China, with Japan (with whom we have now a 'gentleman's agreement' excluding only laborers), and with other countries, and would cause much friction. While it might ameliorate the Chinese-exclusion laws somewhat, in some respects, and make them more oppressive in others, it would have a very bad effect in consolidating these laws with our general immigration laws, and accustom the immigration authorities—who would then enforce all these provisions in common—with the practice in vogue under the Chinese-exclusion laws, of rejecting uncontradicted evidence in favor of aliens.

"More revolutionary still is the provision in section 18, requiring all alien immigrants whatsoever to procure in duplicate 'certificates of admission and identification,' and return certificates, thus establishing a sort of 'ticket of leave' system for all aliens. What the use of the certificate would be is not apparent, as, unlike the Chinese-exclusion laws, it is not made the exclusive method of establishing right of residence here—in which event it would be very oppressive, because of loss of certificates, changes in appearance, and impossibility of segregating aliens from American citizens and aliens who are now here, who are not required to have any certificates—and is not authority for readmission of such aliens after trips abroad. Its enforcement would cost millions of dollars in the way of additional Government employees to make out such certificates, and it would seriously retard ingress of all aliens into the country while the certificates are being prepared and retard their egress on visits abroad while arranging to secure return certificates, and ignorance of these silly requirements would lead to many thousands of exclusions and deportations. A general discriminatory antialien feeling would be engendered by these provisions and even in the present form they probably are violative of treaty obligations toward foreign countries.

"We do not want to have paupers come here, nor persons likely to become paupers; nor anarchists, criminals, contract laborers, or persons mentally or physically defective. On the other hand, we do not want our laws to be so phrased as to keep out others who are desirable and whom this country needs." (New York Times, Jan. 27, 1912.)

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[Rev. Percy S. Grant, minister of the Church of the Ascension, New York City, in the North American Review, April, 1912.]

The rapidity with which the democratic ideas are taken on by immigrants under the influence of our institutions is remarkable. I have personally had experiences with French-Canadians, Portuguese, Hebrews, and Italians. These races have certainly taken advantage of their opportunities among us in a fashion to promise well for their final effect upon this country. The French-Canadian has become a sufficiently good American to have given up his earlier program of turning New England into a new France—that is, into a Catholic province—or of returning to the Province of Quebec. He is seeing something better than a racial or religious ideal in the freedom of American citizenship, and on one or two occasions, when he had political power in two municipalities, he refrained from exercising it to the detriment of the public-school system. He has added a gracious manner and a new feeling for beauty to New England traits.

The Portuguese have taken up neglected or abandoned New England agricultural land and have turned it to productive and valuable use. Both the French-Canadian and the Portuguese have come to us by way of the New England textile mills.

The actual physical machinery of civilization—cotton mills, woolen mills, iron mills, etc.—lock up a great deal of human energy, physical and mental, just as 100 years ago the farms did, from which later sprang most of the members of our dominant industrial class. A better organization of society, by which machinery would do still more and afford a freer play for mental and physical energy and organization, would find a response from classes that are now looked upon as not contributing to our American culture; would unlock the high potentialities in the laboring classes now unguessed and unexpended.

The intellectual problems and the advanced thinking of the Hebrew, his fondness for study, and his freedom on the whole from wasteful forms of dissipation, sport, and mental stagnation, constitute him a more fortunate acquisition for this country than are thousands of the descendants of colonial settlers. In short, we must reconstruct our idea of democracy—of American democracy. This done, we must construct a new picture of citizenship. If we do these things we shall welcome the rugged strength of the peasant or the subtle thought of the man of the Ghetto in our reconsidered American ideals. After all, what are these American ideals we boast so much about? Shall we say public schools, the ballot, freedom? The American stock use private schools when they can afford them; they too often leave town on election day; as for freedom, competent observers believe it is disappearing. The conservators and believers in American ideals seem to be our immigrants. To the Russian Jew Abraham Lincoln is a god. If American ideals are such as pay honor to the intellectual and to the spiritual or foster human brotherhood, or love culture and promote liberty, then they are safe with our new citizens, who are eager of these things.

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IMMIGRATION A VITAL QUESTION.

Justin F. Denechaud, secretary of the Louisiana State board of immigration, who is here attending the Southern Commercial Congress, said to-day:

"To the South more than to any other section of the country immigration is a vital question. Those in charge of recommending to Congress changes in our immigration laws should bear in mind that our section is yet practically undeveloped. In my State alone, Louisiana, with an area of more than 29,000,000 acres, only 5,000,000 acres, or about one-sixth, is now developed.

"Not only do we need a large population to till the soil, but we also need laborers to build railroads and ditches. Where is this labor to come from unless it is from the countries of Europe? The European immigrant was admitted and furnished for the North, East, and West in their development. I do not wish to be misunderstood and to mean that the Government should let down the bars and admit the undesirables, but I do mean that the bars should not be put so high as only the educated and the man with means shall be permitted to enter this country. The passage of such a law as is being asked of Congress from many quarters will deprive the South of its needed labor. The rapid development of the agricultural lands in the South will be the means of checking immigration of the American farmer into frozen Canada." (Nashville (Tenn.) Banner, Apr. 8, 1912.)

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The Western and Southern States need more white people. They are all thinly populated, and they will surely be heard from when the proposed literacy test comes to a final vote.

Underlying the Dillingham-Lodge bill is the fetish of Teutonic superiority and Latin degeneracy, and even of the ancient jealousy of all race mixtures as a danger to the American stock and to American ideals. These notions were long ago disproven. This country still needs and long will need all the honest, able-bodied men it can secure, no matter what European country furnishes them. (Birmingham (Ala.) Age-Herald, Apr. 25, 1912.)

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PROPOSED IMMIGRATION RESTRICTION.

The effort to restrict immigration comes partly from a labor element that fears competition and partly from a social element that has little or no knowledge of the history and the results of immigration in this country. The effort to restrict by an educational clause in the immigration law is a makeshift, an evasion of an issue that the politician does not wish to meet openly. It will not exclude the criminal, the diseased, or the otherwise undesirable. It will exclude many whose muscles are needed and whose exclusion would retard our economic development. If Congress believes that the labor market is, or is immediately likely to be, unduly overcrowded and our interests thereby endangered, it is within the power of that body to prohibit immigration or to limit the number of arrivals for a period of years. But the real trouble is not in the number of those who come. Broadly, the labor market is not overcrowded. Wages have risen in the term of the heaviest immigration in the history of the country. The difficulties of the question are behind the gates and not at them. (New York Sun, May 6, 1912.)

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THE LITERACY TEST.

The proposed literacy test would keep out a great many immigrants, but it is doubtful if it would exclude the really undesirable aliens, the proletariat that produces social ferment in dense alien populations.

Criminals are not the illiterates as a rule. Some education is required to write Black Hand letters and some degree of intelligence is needed to make bombs. (Jersey City (N. J.) Journal, May 11, 1912.)

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THE LITERACY TEST.

The literacy test can not be made too general or all immigrants would be barred. A mere smattering knowledge would be of little benefit to an immigrant. Among the very poor it is usually the man of little education who is the malcontent, and it most frequently happens that the criminal classes are recruited from that class.

The able-bodied illiterate is of more value to this country than the physically weak with a scant education.

The literacy test is a poor one. So widespread is the protest against the bills that enactment seems very improbable. (Fargo (N. Dak.) Forum, May 16, 1912.)

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THE IMMIGRATION QUESTION.

Would any real advantage come to the country from the enactment of the Dillingham immigration bills? One familiar argument for it is that the United States is receiving immigrants now who are not readily assimilable. But it is not illiteracy that makes the immigrant from parts of southern and eastern Europe unassimilable. If he can not be assimilated it is because his racial unlikeness to the settlers of this continent is too great. But the literacy test will keep out only a fraction of the alien races. The problem of their assimilation will remain unsolved.

Nor will the literacy test be sure to keep out the least desirable of the arriving immigrants. It is not usually the man who can not read and write who recruits an anarchist population here. It is the "intellectual proletariat" of Europe which, coming here, congregates in cities and adds to their ferment. The man who works with his hands has always found his place readily in this country, and if he ever makes trouble, by strikes and rioting, it is only as he begins to be assimilated and to develop the American standard of living. Again, the criminals who come to this country and are one of the gravest evils of immigration are seldom of the illiterate class. Illiterates do not write Black Hand letters. It is worthy of note also that some of the illiterates who come here do not require to be assimilated. They form a sort of international balance of labor, moving back and forth between this country and Europe as their services are required, and always intending to live finally in their old home. (New York Tribune, May 9, 1912.)

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LITERACY TEST FOR VOTING, NOT FOR WORKING.

In the vigorous protest against the Dillingham bill "to regulate the immigration of aliens to and the residence of aliens in the United States," which slipped so easily through the Senate and is now before the House Committee on Immigration and Naturalization, a special point is made against the clause which would include among those to be denied admission to the country, "all aliens over 16 years of age and physically capable of reading and writing who can not read and write the English language or some other language." * * * The objection to the admission of illiterate aliens seems to come mainly from two sources—from organizations of workingmen already here, mostly of alien origin, who wish to restrict competition in labor, and from those who regard as politically or socially dangerous large masses of "ignorant foreigners," who gather in industrial centers, like the factory towns and mining districts, and who are easily led into lawless demonstrations in time of excitement.

Many immigrants are unfortunately illiterate, without fault of their own, and without lacking intelligence and character which will make them useful and peaceable subjects of a free government. Most of them are industrious and thrifty, and a large proportion are desirous of learning and of having their children educated. They are capable of becoming a desirable element in the working population, and most of them do become so. (New York Journal of Commerce, May 19, 1912.)

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IMMIGRATION.

In general it may be said that the literacy test is the poorest possible means of determining the value of a prospective immigrant. * * *

Immigration has been one of the most essential factors in the development and prosperity of the United States. A great part of the country is still but sparsely settled and no part is so overcrowded that there is not room for many more. Intelligent distribution of immigration would be a much wiser policy than restriction by a literacy test. (Buffalo (N. Y.) Express, May 9, 1912.)

THE MASS MEETING TO-DAY.

The mass meeting this afternoon at the Star Theater is called to voice the protest of Buffalo against unwise and unjust restriction in immigration laws of the United States.

That this protest will be logical in significance, spirited in expression, and impressive in the numbers supporting it, is certain. * * *

The Times believes the sterling citizenship of Buffalo, irrespective of nationality, is with that large portion of our population which has taken the lead in this matter.

We have equal faith that the citizenhood of the Nation is with it, too.

Every American, except the few aboriginal inhabitants of this country, is an immigrant or the descendant of an immigrant.

Without immigrants, there could have been no civilized nation on this continent.

If all the restrictions on immigration, which are now exercised, or which are pending, had been put in force against the Puritan Fathers of New England, the Catholics who settled Maryland, the cavaliers who built the first settlement in Virginia, the Quakers who established Philadelphia, and the poor debtors who founded Georgia, the beginnings of this Republic would have been nipped in the bud.

It is proposed to exclude worthy immigrants because they can't read and write.

Daniel Boone couldn't read and write.

The literacy test is no test at all.

Many of the best-known men of Buffalo, men prominent in manifold walks of life, men distinguished as clergymen, officials, lawyers, publicists, and orators, constitute the corps of speakers at to-day's mass meeting.

There is no need to anticipate the arguments of such men.

The duty of the occasion is to do all that is in us to maintain the hospitality of the United States, that quality which has made this country the refuge of the oppressed throughout the world, and which has been repaid to America many times over by the loyalty, the blood, the toil, the money, and the patriotism of her foreign-born citizens. (Buffalo (N. Y.) Times, May 12, 1912.)

OUR FOREIGN ELEMENT.

That there should be very vigorous opposition to the so-called Dillingham immigration bill, now under discussion in the United States Senate, is not to be wondered at.

Had the restrictions it seeks to impose been in force during the last 60 or 70 years the country would have been deprived of thousands upon thousands of immigrants who came here and made good, and whose descendants are to-day among the very flower of American citizenship.

A test of illiteracy is not a fair test. Cardinal Gibbons puts the case strongly and truthfully when he says that illiteracy is not ignorance or incompetence—that if the immigrant is industrious and thrifty he will make a useful citizen, whether he be literate or illiterate.

The thousands who have been coming to Lowell and kindred communities during the last 15 or 20 years, and against whose kind the Dillingham bill is aimed, have shown themselves to be both industrious and thrifty.

And they have recently given striking demonstrations that they are no more minded to work for too low wages than are other nationalities whose immigration began earlier—that they want to lift themselves up to the American standard of living, not pull that standard down.

They are seeking to adapt themselves to American ways and are making more rapid progress than is generally appreciated. The "natives" will profit by getting in touch with them and lending a helping hand.

They are, too, as a rule, temperate as well as industrious and thrifty. Few of them are seen in the police court, and fewer still in the almshouse. (Lowell (Mass.) Telegram, May 12, 1912.)

THE BROAD VIEW.

Every effort to restrict immigration on the ground of illiteracy alone has proved a failure from the beginning of the agitation for it, many years ago. The great majority of the people have been opposed to it since their attention was called to it by the able veto message of President Cleveland when such a bill reached him for consideration. The bill had gone through Congress with little debate, but he put a stop to the movement for restraint of the kind provided in the bill, and it has made no progress since then, even with the large immigration from southern Europe that alarms a number of excellent citizens. (Buffalo (N. Y.) Express, May 13, 1912.)

ILLIBERAL AND HARSH REQUIREMENTS.

This Senate bill makes ability to read and write in some language or dialect one of the requirements for the admission of those over 16 years of age. The immigrants from a certain number of countries are excluded from this requirement, but it applies generally to all immigrants from Europe, except certain relatives of immigrants who are themselves admissible. It is as moderate an application of the illiteracy disqualification as can well be made, yet it is felt by many good people to be harsh and unfair, and vigorous protests are being made against it.

If to be totally illiterate means always to be idle or stupid, it would be an entirely proper test for exclusion. But some immigrants fleeing from hard conditions and an oppressive government in the Old World have never had an opportunity to learn to read or write. Their labor would be acceptable here and their inability to read would not necessarily prevent their being orderly and self-supporting citizens. A man who has been denied opportunities to learn to read may be intelligent in spite of his illiteracy. A man of brains and brawn, in good health, and of unimpeachable character, should not be barred out of this land because conditions beyond his control have prevented him from learning to read. (Philadelphia (Pa.) Press, May 14, 1912.)

THE DILLINGHAM BILL.

The Dillingham bill now pending in Congress marks a wide departure from the generally accepted theory followed for many years concerning immigration. To restrict and to restrain are the cardinal principles of the proposed act. Heretofore the main idea of legislation has been to regulate, and not to prevent. There are those who believe that the time has come when such a change as that now proposed is necessary; that an absolute barrier must be raised against the hordes of those aliens who certainly are not elevating the standard of citizenship. On the other hand, the question is asked whether it is wise or humane to refuse a refuge and a haven to those who simply have been so unfortunate as to be born or reared in countries possessing less natural advantages or less endowed with the blessings of liberty. * * *

A man who can not read or write is not necessarily unworthy. Illiteracy is a misfortune, not a crime, and the illiterate should not have the door of opportunity shut in his face because he was unable to enjoy in his own land the advantages of education. Such a law penalizes misfortune and is un-American. (Buffalo (N. Y.) Commercial, May 15, 1912.)

ILLITERACY NOT IGNORANCE.

Last Sunday afternoon a meeting was held in this city to protest against the passage of the Dillingham and Burnett bills, now pending in Congress.

The principal bone of contention is the senseless educational test.

The speakers were Adelbert Moot; Col. John B. Weber, former Representative and Commissioner of Immigration, who has made a study of the immigration problem; Representative CHARLES B. SMITH; Health Commissioner Fronczak; and Dr. Borzilleri.

The suggested educational test is uncalled for, unnecessary, silly. Thousands of immigrants who were unable to read, unable to write, have come to this country. They have made good. Their citizenship is of the first class. They have been builders. The Nation could not well have done without them. (Buffalo (N. Y.) Times, May 16, 1912.)

RESTRICTION OF IMMIGRATION.

Of course paupers and criminals should be excluded. They should stay where they are produced. They will not develop our country. But those who will develop our resources and strength ought to be welcomed. That is a plain principle, but at present it is openly or covertly opposed on grounds that will not stand examination. In its extreme of narrow absurdity it appears in the policy urged and adopted in Australia, where in the assumed interest of labor it would discourage even white immigration. The one and only argument back of all these exclusion rules is, confessed or unconfessed, that a paucity of labor is desired by a class of laborers, so that they may secure larger wages by the resulting competition for it. There then follows for them an increased cost of living by the increased price of products, and the process goes on, more cost of living, more wages.

The Dillingham bill, now being considered in Congress, is another law intended to unify our laws for restricting population by immigration. The purpose we do not approve. We regard it as unwise in political economy, and ungenerous and indefensible morally. It is of the same ethical type as the action of the titled passengers on the lifeboat only half filled, who were unwilling to try to save others that were struggling in the sea. Immigrants come here to improve their condition a great deal; they are told they must not do it for fear we shall be crowded a little.

Senator DILLINGHAM'S able defense of the bill brings out some important admissions resulting from the very careful investigation of the conditions of immigration. It appears that immigrants as a body are choice people, the choice of their race, whatever that race may be. They have more than usual enterprise. They are of those who have ambition to improve their condition. They are strong and healthy young people. They are able and willing to work. It appears further that an illiteracy test does not shut out criminals; criminals generally can read. Immigrants are, on the whole, picked people. The children of immigrants attend our public schools more faithfully than do the children of native parents. Further, there is no effort on the part of foreign governments to dump their undesirable citizens on our shores. No evidence of that could be found. * * *

The main provision is that those who can not read are excluded. The argument given for this exclusion is not that the illiterate are not useful laborers, nor that they are more criminal, but that they take the unskilled fields of labor, and that these fields are overcrowded. Evidence of this is that the annual income of such laborers in the coal and steel industries, as compared with their daily wage, shows that there are considerable periods of nonemployment. It is not made clear that such cessation from work is due to the failure of work to do. We judge that those who are willing to work steadily can get work, and it would not be bad if those who are less faithful should be crowded into other less toilsome and less remunerative pursuits. The purpose of the bill is to exclude common laborers, such as work in mines or on railroads. It is further the aim to shut out those who do not desire to make their permanent home here, for nearly half of those who come go back to live. If this is the case, one would think it would please these enemies of immigration. The young men come here, enrich the country more by their work than we are impoverished by the money we pay them, and which they send or carry back to Italy or Hungary, and they do not remain to be further competitors in the labor market; and yet the bill tries to exclude these temporary creators of wealth. The policy and purpose are indefensible. (The Independent, New York, May 16, 1912.)

LITERACY TEST FOR VOTING.

The Senate passed the Dillingham bill to limit immigration by means of a literacy test, but the House hesitates, and public sentiment is rapidly changing in relation to the bill. * * *

The Dillingham bill proposes to exclude "all aliens over 16 years of age and physically capable of reading and writing, who can not read and write the English language or some other language." This would shut out many immigrants who would soon become useful citizens. If the country had a better plan of distribution—if immigrants were landed at other ports than New York, no objection to their coming here would arise. Better distribution and a delay in naturalization would be better remedies. In other words the literacy test should arise when admission to citizenship is applied for and not to admission to residence in the country. If we apply it to the latter we turn our backs on our traditions and on thousands whose only crime is the plotting for freedom against tyranny at home. We are not ready to stand for despotism and against liberty even to please some Senators. (Birmingham (Ala.) Age-Herald, May 17, 1912.)

THE LITERACY TEST.

The literacy test is undoubtedly the weak feature of the Dillingham immigration bill. In the opinion of Charles Nagel, Secretary of Com-

merce and Labor, illiteracy does not stand in the way of assimilation, and we should imagine that this was the correct view to take of the matter. The illiterate man comes to our shores with his mind in a receptive condition. He is willing and even anxious to learn our methods of doing things. He has remained illiterate because his opportunities for education have been few. Here he will find many such opportunities, and if he is the right sort he will be quick to take advantage of them. It isn't the illiterate man, as a rule, that we have to fear, but the man who comes here laboring under the delusion that he knows it all, so to speak, and is unwilling to be taught. These are the sort of men who are apt to turn dangerous agitators and sometimes do. If a man has a strong, healthy body and a well-balanced mind he should be a most desirable immigrant, no matter whether he is illiterate or not. If illiterate he will work and acquire an education in spite of the poor start he has had at home. Capacity for work and willingness to perform it more than counterbalance a failure to stand a literacy test. Such a test is therefore palpably undesirable. (Brockton (Mass.) Times, May 27, 1912.)

NO IMMIGRATION LEGISLATION.

Better no legislation at all on the immigration question than bad legislation. The voice of the Nation has declared too emphatically against such propositions as that of the Root amendment for the deportation to their countries of political refugees and the proposition to shut out some of our most useful elements of citizenship by imposing a literacy test. (Newark (N. J.) Star, May 30, 1912.)

SIFTING THE IMMIGRANTS.

What qualities do we want in our immigrants to make them a welcome addition to our population? Without undertaking to give a comprehensive answer to this question, there are certainly four qualities which are needed:

Good physical health.

The economic virtues, such as temperance, honesty, and thrift.

A desire to become Americans, and the purpose to remain in America.

Capacity to become assimilated with the American population.

And the classes which we desire to exclude from America are also four:

Physical, mental, and moral degenerates.

Idlers, agitators, and cranks. We can breed all of these we want without help from the Old World.

Transients who come here to earn a little money, to live as near the edge of poverty as possible to be while in this country—Hungarians, Italians, Poles, and the like—and to return to their homes as soon as they have accumulated a meager competence.

Those whose race peculiarities are such as make intermarriage with the American people and assimilation into the American Nation undesirable if not impossible.

What the Nation wants of Congress is such legislation as will sift our immigration on the lines indcated above.

No simple provision, such as a perfunctory test of reading and writing, or a certain amount of money in hand, or the demand of a larger head tax, will suffice to solve our immigrant problem. We must either be willing to organize an effective and competent method of selecting the immigrants we want or we must continue to take them as they come and do the best we can with them when they are here. (The Outlook, New York, June 1, 1912.)

ILLITERACY AND IMMIGRATION.

One honest, hard-working illiterate, who lives clean and raises a decent family, is worth a hundred of the inefficients our schools turn out annually, who can read and write, but who are too fine to work and who are utterly useless in the civilization they live in. We place too high an estimate upon mere literacy; but if we paid more attention to teaching children that morality which comprehends respect for parents and law and the necessity of earning bread by the sweat of their face, we would not be troubled so much with the envy and discontent which are the outgrowth of laziness and inefficiency.

The literacy test for the exclusion of immigrants is the sheerest humbug; had such a law been in force since the early seventeenth century, America would still be a howling wilderness. The American troubles of the twentieth century are not the fruits of illiteracy and immigration; they are made right here on the soil by those born on the soil, by the lazy, the inefficient, the envious, the unsuccessful—all the products of our public schools. Go to your prisons some time and learn how many of the inmates are illiterates. When literacy has become a synonym for sanity, honesty, industry, and physical soundness it will be time enough to make illiteracy a barrier for admission to the Republic. I would rather have an illiterate who can steer a plow, wield a sledge, roof a house, lay brick, or dig a good sewer than a dozen half baked chaps who can write dog and read cat and who are willing to live on the labor of a father and mother. Let Congress face the question fairly, and let the Government back up the immigration authorities in enforcing the laws we have. The illiterate test is pure punk, just plain flapdoodle. (Boston (Mass.) Morning Herald, June 3, 1912.)

LABOR SCARCITY AND IMMIGRATION.

All of these facts may serve to remind us how fortunate the country has been to escape the limitation of immigration, which was so warmly urged in the last session of Congress and still threatens. There could be no greater folly from the industrial point of view than to require, as does this bill, that everyone shall be excluded who can not pass a literacy test and show some knowledge of English. For certain lines of work no American-born laborers are available—particularly is this true of unskilled labor in the iron and steel trades. In them such a restriction would speedily become crippling. It is no answer to this that conditions of work should be so attractive as to bring it to a higher class of men. Much can be done, indubitably, in this direction. But American labor will enter certain lines of work on no terms. Foreign labor will; why should it be compelled to master a new tongue before entering? For decades past the heavy outdoor work has been done by Irish or negroes or Italians or Slavs; the history of many a long-established industry is the story of first one nationality and then another carrying it onward. The United States needs immigration more than any other country, because here men rise rapidly in the social scale, as they can not elsewhere. The sons and daughters of one generation of day tollers are clerks or artisans. And to put up the bars at this particular period in our history would be to deal a blow in advance to our coming prosperity. (New York Evening Post, Sept. 23, 1912.)

THE ILLITERACY TEST.

The spirit of the Statue of Liberty in the harbor of New York, which, to immigrants catching their first sight of America, symbolizes the land of freedom, equality, and democracy, was well represented by the New York delegation in Congress yesterday, when the entire group of Democrats from that State went on record in caucus against the immigration bill, with its unfair illiteracy test for incoming foreigners.

If the United States made any pretensions to being a country dedicated exclusively to the "upper classes," the erudite, and the fastidious, the immigration bill which has been included in the Democratic program for the present session would be an accurate reflection of such sentiments. If, however, the United States is to remain what it was intended to be—a haven for the oppressed, the lover of liberty and freedom, the toiler, and the ambitious—then the present bill is a step backward toward an exclusiveness which, if exercised 100 years ago, would have paralyzed the growth of the Nation.

The illiteracy test would have robbed the country of some of its strongest and greatest men. Some of the ablest lawyers at the bar, the noblest humanitarians, the best and most progressive business men of to-day are the progeny of parents who could neither read nor write when they came to the United States.

Is opportunity to be denied to all those who have not had the advantage of an education in the countries where they were born? Many of the immigrants who can neither read nor write are the quickest students, once they have landed on American soil. Barring them from entering this country will deprive the Nation of the rich blood that is needed if the country is to continue to grow as it has grown in the past.

Many American-born men and women have been unable to obtain an education until they were well on in life, and yet have grown into fine manhood and womanhood. Criminals are frequently well educated, and so are many incompetents. The country needs as many healthy European immigrants as will come here, and the only tests that should be applied are those of health and morality. (Washington Post, Dec. 5, 1912.)

RESOLUTIONS.

[Memorial and resolutions adopted at a mass meeting held at Cooper Union May 5, 1912.]

From the establishment of our Government it has been its consistent policy not only to permit but to encourage immigration into the United States. In consequence, our resources have been developed, new and important industries have been established, the great West has been peopled, and we have been blessed by a prosperity which is unparalleled in the annals of history. But for this liberal policy there would have been a dearth in the land of that vital energy which is an essential to material and moral improvement. A considerable percentage of those who have largely contributed to the progressiveness of our Nation are either immigrants themselves or the sons and daughters of immigrants.

While the right and the duty of our Government to regulate immigration is conceded, to the end that those who would imperil our prosperity and the permanence of our institutions should be excluded, it would be a genuine misfortune if any laws arbitrarily restrictive of immigration were enacted. It would be retrogression. It would close our gates to the oppressed who have hitherto been afforded refuge, and to those who supply strong arms and stout hearts to our industrial activities and further the increase of our national wealth.

Senate bill 3175, known as the Dillingham bill, and similar legislation now pending in Congress, if enacted, would operate as a reversal of that policy which has hitherto so signally contributed to our national greatness. Their most significant feature is the literacy test. This proposed restriction is conceded by its authors to be purely arbitrary. It would not exclude those who are inimical to our form of government, for they are usually highly educated. It would not keep out those who are physically, mentally, or morally degenerate. On the contrary, it will affect principally those whose brawn and muscle and whose obedience to law and authority make them especially useful and desirable as additions to our population.

It is this part of our immigrants which has built our railroads, canals, tunnels, and aqueducts; which labors in our *mines*, on our public highways, and upon our farms, which are being deserted by those of American birth. It is they who laboriously toil in those occupations which are avoided by our older population. Many of them learn to read and write after they arrive here. Their children avail themselves of the educational opportunities which are afforded them, and in a few years are not distinguishable from the descendants of the early settlers. If this test had been applied to the immigration of the last 60 years it would not only have seriously impaired our working capacity, but it would have deprived the country of great moral and ethical forces which have strengthened the public sense of solidarity.

The test proposed is the ability to read and write various clauses of the Constitution of the United States—a test with which many of our native-born citizens would find it difficult to comply. To require a foreigner, unfamiliar with our political phraseology, to undergo successfully such an examination under the most trying conditions, with none to sit in judgment but an inspection officer, would be most unjust. If it were deliberately intended to enmesh and entangle him, it could not be more effectually accomplished. Immigration should not be confounded with naturalization.

The pending bills are further objectionable because they contain a provision in the nature of a ticket of leave, which practically requires an immigrant at his peril to keep in his possession a certificate issued to him on his arrival, and another, added in the tumult of debate, which though with proper protective clauses now absent, might be appropriate in a neutrality law, has no possible relevancy to an immigration act by which an alien charged with a conspiracy for the violent overthrow of a foreign Government may be summarily deported to his death without the right of trial by jury and without judicial hearing of any kind, even though he may himself be the victim of criminal espionage and conspiracy.

Believing for these reasons that the passage of the pending bills would be an unqualified misfortune to the country and give rise to grave injustice and gross abuses,

It is resolved by this assemblage, composed of citizens who have given to this subject mature thought, that it vigorously protests against the proposed legislation, and fervently prays that no immigration laws be enacted which shall not be in complete accord with the principles which we have herein advocated; that copies of this memorial be forwarded to the President of the United States, to the Secretary of Commerce and Labor, and to every Senator and Representative

in Congress, and that they be urgently requested to oppose the enactment of these proposed restrictive laws as being detrimental to our common welfare and inconsistent with those American ideals which have given the stimulus of humanity to the conscience of the world.

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[At a town meeting held in Philadelphia, May 8, 1912, at Musical Fund Hall, under the chairmanship of Dr. C. J. Hexamer, president of the German-American Alliance, the following preamble and resolutions were adopted.]

Whereas the United States Senate has passed the Dillingham bill and the Burnett bill is now before the House of Representatives, both of which contain educational tests for immigrants, be it resolved by the citizens of Philadelphia in meeting assembled that we are unqualifiedly opposed to an educational test for immigrants.

We hold that existing law prohibits the incoming of criminals, paupers, lunatics, persons of immoral life, those afflicted with contagious diseases, and all others who may reasonably be regarded as dangerous to the public welfare or likely to become burdens upon the public purse. These provisions are sufficient for the exclusion of all unfit immigrants, and any further restriction must inevitably result in inhumanity and wrong.

That the literacy requirement is not a fair measure of moral worth, of economic value, of mental capacity, or civic worth.

Experience proves that moral soundness—simply honesty—is independent of intellectual culture. The vast majority of those ignorant of letters are morally sound, while a minority of the literate are morally defective despite their education.

The proposed changes in existing law is a reversal of the fundamental principles of our free Government and the history and traditions of our country. It has been the consistent will and policy of the people of the United States that this land should ever be a refuge for the oppressed and persecuted of the earth. It is inconceivable that a free and prosperous people, whose institutions are founded upon the broadest humanity and the most explicit recognition of the rights of man, could wish to close its ports against peaceable, honest, worthy, and industrious men and women seeking for themselves and their children political, religious, and industrial freedom. To turn them back, because of defective education, to the oppression and misery from which they are escaping would be for this Nation stultification and shame.

We further protest against section 18 of the Senate bill, which is of a far-reaching character, has the result of placing worthy immigrants upon the same plane as persons sent to penal colonies, and will undoubtedly work hardship. It, moreover, virtually establishes an internal passport system which up to this time has only been known in the most autocratic of Governments.

Resolved, That a copy of these resolutions be sent to the President of the Senate and the Speaker of the House of Representatives.

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[Resolutions adopted at a mass meeting at Faneuil Hall, Boston, May 5, 1912.]

Resolved, That this meeting of the citizens of Boston protests against the adoption of the Dillingham and Burnett bills as being un-American in spirit and harmful to the best interests of the future people of the United States.

Resolved further, That the chairman of the committee organizing this meeting shall appoint a committee of five, who shall proceed to Washington to urge upon the individual Members of the House of Representatives and upon the officials of the parties the objections of this meeting to the proposed good-conduct certificates for immigrants.

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[Resolution adopted by a mass meeting of the citizens of Cleveland, May 9, 1912.]

Whereas there is now pending in the House of Representatives two measures known as the Dillingham bill (S. 3175) and the Burnett bill (H. R. 22527), both of which provide that a literacy test be applied to all immigrants entering the United States; and

Whereas the Dillingham bill, in addition to a literacy test, provides that all immigrants be required to carry with them a certificate of identity; and

Whereas we not only regard those provisions as hostile to the spirit of our American institutions, but also believe that they would work injustice to worthy immigrants and deprive our country of an element which, on the basis of experience, would develop into worthy citizenship; and

Whereas we believe that such restrictive legislation will seriously retard the commercial and industrial progress of this country: Therefore be it

Resolved, That we, the citizens of Cleveland, in mass meeting assembled, representing every element of our citizenship, protest against the passage of Senate bill No. 3175 and House bill No. 22527, and that we earnestly appeal to our Representatives in Congress to put forth every effort at their command for the purpose of defeating these two measures; be it further

Resolved, That a copy of these resolutions be forwarded to the President of the United States and to our Representatives in the Congress of the United States.

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[Resolutions adopted by citizens of St. Louis, Mo., in mass meeting, May 1, 1912.]

Whereas there is now pending in the House of Representatives two measures known as the Dillingham bill (S. 3175) and the Burnett bill (H. R. 22527), both of which provide that a literacy test be applied to all immigrants entering the United States; and

Whereas the Dillingham bill, in addition to a literacy test, provides, in section 18 thereof, that all immigrants be required to carry with them a certificate of identity; and

Whereas these measures are so un-American in spirit, so inhuman in their effect as to practically mean the closing of the gates of America in the faces of those worthy immigrants who seek shelter in the United States from religious and political persecution; and

Whereas we believe that such restrictive legislation will seriously hamper the proper development of our country and retard its commercial progress: Therefore be it

Resolved, That we hereby protest against the passage of Senate bill No. 3175 and House bill No. 22527, and that we earnestly appeal to our Representatives in Congress to use every legitimate means at their command for the purpose of defeating these two measures; be it further

Resolved, That a copy of these resolutions be forwarded to the President of the United States and to our Representatives in the Congress of the United States.

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[Resolutions adopted by the Common Council of the City of Johnstown, N. Y., Apr. 29, 1912.]

Whereas there is now pending in the House of Representatives two measures known as Dillingham bill (S. 3175) and the Burnett bill (H. R. 22527), both of which provide that a literacy test be applied to all immigrants entering the United States; and

Whereas the Dillingham bill, in addition to a literacy test, provides in section 18 thereof that all immigrants be required to carry with them a certificate of identity; and

Whereas these measures are so un-American in spirit, so inhuman in their effect, as to practically mean the closing of the gates of America in the faces of those worthy immigrants who seek shelter in the United States from religious and political persecution; and

Whereas we believe that such restrictive legislation will seriously hamper the proper development of our country and retard its commercial progress: Therefore be it

Resolved, That we hereby protest against the passage of Senate bill No. 3175 and House bill No. 22527, and that we earnestly appeal to our Representative in Congress to use every legitimate means at his command for the purpose of defeating these two measures: Be it further

Resolved, That a copy of these resolutions be forwarded to the President of the United States and to our Representatives in the Congress of the United States.

—

[Resolutions of Pittsburgh Chamber of Commerce, June 3, 1912.]

Our national boast has been that this country was the refuge for the downtrodden and oppressed, who in a healthy bodily and mental condition, and with a law-abiding spirit, sought entrance at our gates with a view of making this country their home and taking their chances with us. This sentiment has built up our national idea of free Americanism. The immigration of the able-bodied and honestly inclined has contributed in a large degree to the greatness and prosperity of this Republic.

In the line of our tradition and of the principle that has guided us in the past, through means of which our country stands preeminent as the land of liberty and freedom and equal opportunity, we can not afford to close our doors to those who still unfortunately suffer from oppression existing in foreign lands merely because they can not read, although otherwise qualified for admission under existing laws.

The proposed educational test, if enacted into law, will affect the immigration of the very people this country needs most, namely, the honest, thrifty, industrious, and self-supporting laboring classes; and in this respect they are harsh and oppressive measures.

When the various phases of this question are considered we can not but reach the conclusion that if any of the proposed bills requiring the educational test for immigrants seeking admission to this country is enacted into law it will not only be against the policies of this country, under which it has grown to greatness, but against the interests of the Nation at large and especially against the best interests of Pennsylvania.

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[Resolutions of Italian-American Business Men's Association, Buffalo, N. Y., May 8, 1912.]

Resolved, That we, the Italian-American Business Men's Association of the city of Buffalo, N. Y., representing the sentiment of 60,000 Italians in Buffalo and western New York, earnestly protest against the enactment of any law which denies the right of entry to the United States of those who, through no fault of their own, have failed to receive an education; we denounce the illiteracy test proposed in the Dillingham and Burnett bills as un-American in spirit and opposed to the principles on which this Nation was founded, namely, that it is the haven and refuge of the oppressed of every land; that it is antagonistic to the commercial and industrial advancement of this country.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

FORTIFICATIONS APPROPRIATION BILL.

Mr. SHERLEY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 28186, the fortifications appropriation bill, and pending that I ask unanimous consent that general debate be now closed.

The SPEAKER. The gentleman from Kentucky moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of House bill 28186, and pending that he asks unanimous consent that general debate on this bill be considered closed. Is there objection?

Mr. FOWLER. Mr. Speaker, reserving the right to object, I should be glad if the gentleman in charge of the bill would give some little further time for discussion of the bill before he closes general debate.

Mr. SHERLEY. I suggest to the gentleman that any reasonable request under the five-minute rule will no doubt be granted. We have had one day's debate on this bill; we are in the situation that in a very few weeks the session will end, and the majority portion of the great supply bills are unacted upon.

Mr. FOWLER. I have never taken one moment's unnecessary time of the House in discussion.

Mr. SHERLEY. How much time does the gentleman want?

Mr. FOWLER. Ten or fifteen minutes.

Mr. SHERLEY. I will modify my request, Mr. Speaker, to the extent of asking that the general debate close in 15 minutes.

The SPEAKER. Is there objection?

Mr. RODDENBERY. Reserving the right to object, I do not care to press the gentleman if he wants to get on with his bill, but I should like 10 minutes of general debate.

Mr. SHERLEY. I suggest that there will be an opportunity for the gentleman under the five-minute rule.

Mr. RODDENBERY. It is purely a matter of preference, but I should prefer to have 10 minutes of general debate rather than to take it under the 5-minute rule, because if taken under the 5-minute rule it might provoke discussion.

Mr. SHERLEY. I am sure that it will not provoke discussion because, being in charge of the bill, I shall see to it that the debate is confined to the bill. I am trying to expedite the real public business of the House, business that ought to be attended to.

Mr. RODDENBERY. I do not desire to press the gentleman, but I should like to have 10 minutes under the head of general debate before the gentleman goes into the consideration of the measure under the 5-minute rule.

Mr. SHERLEY. Mr. Speaker, I am willing to modify my request to the extent of asking that general debate close in 25 minutes, the gentleman from Georgia to have 10 minutes and the gentleman from Illinois [Mr. FOWLER] to have 15 minutes.

The SPEAKER. The gentleman from Kentucky modifies his request, and asks unanimous consent that general debate be closed in 25 minutes, 10 minutes to be given to the gentleman from Georgia [Mr. RODDENBERY] and 15 minutes to the gentleman from Illinois [Mr. FOWLER]. Is there objection?

There was no objection.

The motion of Mr. SHERLEY was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the fortifications appropriation bill, with Mr. RUSSELL in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 28186, the fortifications appropriation bill. By order of the House general debate will be closed in 25 minutes, 10 minutes to be given to the gentleman from Georgia [Mr. RODDENBERY] and 15 minutes to the gentleman from Illinois [Mr. FOWLER].

Mr. RODDENBERY. Mr. Chairman, I heard with interest day before yesterday the statement of the gentleman from Kentucky [Mr. SHERLEY], explanatory of the fortifications bill, and it appeared to me that he fully and comprehensively covered the bill, and his remarks reflecting the action of the committee manifested great care and doubtless much wisdom.

I am not disposed to interrupt the orderly business of the House, but I desire, Mr. Chairman, without underestimating the importance of the fortifications appropriation bill, to call the committee's attention to a subject that in point of gravity and point of importance to this country and its protection against foreign and domestic danger is far superior and altogether outweighs the questions of the fortifications bill in time of tranquillity and peace. I hold before me the Chicago Record-Herald of the dates of January 17 and 18, 1913. The first caption is "Feeble-minded white girl married to a 42-year old negro."

Some time ago I addressed a few remarks to the House touching the marriage in Chicago of the negro pugilist, Johnson, to an unfortunate white woman. It was then said by a good many Members that it was a rare case, an isolated case. I said on that occasion that it was a remarkable case that attracted wide attention. Such marriages are, however, not an uncommon occurrence, too frequent in Illinois, and too frequent elsewhere. I hold here the marriage certificate of this late outrage. Upon inspection of it there appears the gentle white hand of a woman and the strong white hand of a man, each upraised with fingers touching each other over an open Bible. These words immediately follow this holy emblem:

> This is to certify that George F. Thompson, of Chicago, State of Illinois, and Hellen E. Hanson, of Chicago, State of Illinois, were by me united in holy matrimony, according to the ordinance of God and the laws of the State of Michigan, at Niles, on the 13th day of January, A. D. 1913.

That unholy certificate is signed by two witnesses to the ceremony and underwritten by "Charles Ager, minister of the gospel." A white minister at that, who ought to be tarred and feathered and driven into exile, scorned, as he is, by all decent people. Look upon this certificate, gentlemen, and you will witness the binding in wedlock of a 42-year-old negro to a 15-year-old feeble-minded white American girl, according to the laws of the State of Michigan, and conformable to the statutes of the State of Illinois. I desire to read a few extracts from the newspaper report of this case and incorporate them in the RECORD:

> It became known that Thompson took the girl to Niles from Hammond, Ind., arriving at 4.30 o'clock in the morning of January 14. He hid the child in a room at the Forler House in the railroad district. At 10 o'clock the next morning he visited L. J. Torney, a justice of the peace, and asked him to perform the wedding ceremony.

To the credit of the justice, let it be said, he refused. Later he secured the services of the alleged white minister.

Another report from the paper says:

> The girl is the only daughter of a widow who lives at 3855 Wentworth Avenue, and who conducts a little grocery at Thirty-eighth and South States Streets. The little girl helped her mother around the store while not attending school. She is small for her age, and still does her hair in a braid and wears short dresses.

My God, that the laws of any civilized State will permit a bestial brute to invade the home of a poor and defenseless widow, and, in defiance of her, to have sanctioned by law his wedlock to such a pitiable child! [Applause.]

The published report says further:

> Thompson, who is a widower and who has two children, saw the child two weeks ago. He frequently went to the grocery and bought the child candy and ribbons. On January 10 he bought her a big doll which opened and shut its eyes and "talked." The child was delighted. When he asked her to go with him to the home of a negro friend, William Price, of 6630 Throop Street, late in the afternoon, the child was willing. She took her doll with her. Thompson kept her at Price's home all night.

It is sufficient to arouse the Nation that a 42-year-old African negro can take to another negro's home a 15-year-old feeble-minded child and keep her all night, and then, having wed her, outrage her, leave her dying, and escape violence of brave men in a great city. How long will the legislators of these States remain recreant to public duty? After the marriage he was arrested. Let me read on:

> After a physician had found Emma Hanson, whom Thompson had married, in the negro's home, at 3820 La Salle Street, apparently dying, the child was removed secretly to a hospital by agents of the Juvenile Protective League and has not since recovered consciousness.
>
> Thompson is being held in the county jail pending the outcome of the child's injuries. He is formally charged with abduction and his preliminary hearing has been set for January 24 before Judge Courtney.

Gentlemen, you may understand how this can be, but it passes my comprehension how any venal brute can marry a helpless, enfeebled white child and ever find lodgment in a jail or confinement in police barracks. All law-abiding men abhor violence in disregard of law, but what ought to be done with this beast propriety makes it impossible to state. When I cited to you the Johnson marriage in December I then stated that unless action was taken this outrage would inevitably lead to others. Here is what the black brute, Thompson, says, according to the published report:

> Thompson, in his cell in the county jail, yesterday told why he lured the slip of a girl from her home and married her. He said he had a right to take the girl for his wife "if Jack Johnson could marry Lucile Cameron."
>
> "If I want that girl, why can't I have her? I married her, and what are they going to do about it?"

I do not know what they will do about it in Michigan or Chicago, but I do know what they would do about it in Georgia. Propriety again will not permit me to say. He goes on insolently in these words:

> I wanted her and I got her. Her mother is raving because I am colored. She thinks I ain't good enough. But if Jack Johnson is good enough to marry white women, why can't I marry one?

There you have it, sirs. In the name of girlhood and womanhood, I appeal to the recreant States to take action. Let the people call on their servants for legislation. I am happy to note that Kansas last week passed through the house a bill prohibiting such marriages.

Gentlemen, if others will not follow, do you not think we had better pass the constitutional amendment offered by me a few weeks ago prohibiting forever the marriage of whites and negroes in this country? [Applause.]

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. SHERLEY. Mr. Chairman, I yield 15 minutes to the gentleman from Illinois [Mr. FOWLER].

Mr. FOWLER. Mr. Chairman, I yield two minutes and a half to the gentleman from Colorado [Mr. RUCKER].

Mr. RUCKER of Colorado. Mr. Chairman, the West has been the object of more poison-pointed javelins than any other section of the country, and especially our agricultural interests. I want to call the attention of the chairman and of the House to a significant statement made by Dr. Galloway, of the Bureau of Plant Industry, in a hearing upon the 17th day of this month concerning irrigated agricultural lands.

I will print that in the RECORD. In short, it means that, in his opinion, irrigated lands soon wear out. The view presented by Dr. Galloway is a blow not only to all the irrigated and irrigable lands in the West and every farmer who owns a tract of land that is being irrigated, but it is a blow also given to the great reclamation projects which we have now in process of construction in the West. In that connection I want to print as a part of my remarks extracts from practical farmers who have irrigated their farms for as much as 40 years, and, contrary to the statement of Dr. Galloway, their farms have grown more productive and valuable. It is a natural source of fertilization, the spreading of the waters upon the land, and I also want in this connection to give this testimony personally that for 35 years I have been irrigating lands, and my crops have grown from year to year under this natural fertilization by the spreading of the waters upon the land.

I am aware of the fact that there is a little bit of testimony that Dr. Galloway might bring to his aid drawn from the way-off eastern countries where irrigation first started, but those lands, supposed to have deteriorated in value, did not deteriorate because of irrigation, but, on the contrary, it was because of the exhaustion of the water supply by denuding the forests at the high country, thereby drying up the springs and natural reservoirs.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUCKER of Colorado. Mr. Chairman, I also ask to print an editorial appearing in the Rocky Mountain News, the most reliable and most widely circulated paper in the Rocky Mountain and semiarid regions, concerning conservation in the western section of our country, showing all that the West asks for at the hands of the incoming administration.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent to incorporate certain articles in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The articles referred to are as follows:

The CHAIRMAN. Are any of the lands reclaimed by irrigation now being lost to agriculture?
Dr. GALLOWAY. From alkali?
The CHAIRMAN. From any causes.
Dr. GALLOWAY. Yes, sir.
The CHAIRMAN. From the action of saturation wearing it out?
Dr. GALLOWAY. Yes, sir.
The CHAIRMAN. Then, as a matter of fact, some of the land that is being reclaimed is also being lost to agriculture?
Dr. GALLOWAY. Yes, sir; that is true.
The CHAIRMAN. To any marked degree?
Dr. GALLOWAY. To a marked degree.
The CHAIRMAN. As a matter of fact, do irrigated lands have their problems which affect their own life and production to the degree that humid lands have?
Dr. GALLOWAY. Far more so, in my judgment. I will even go so far as to say what I have said before, that as far as I know there has never been any long-continued successful irrigation agriculture in an arid climate anywhere in the world.

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COLORADO FARMERS LAUGH AT DR. GALLOWAY—PROVE IRRIGATED LAND PRODUCES BEST RESULTS—UNANIMOUS REPLY FROM EXPERTS REFUTES STATEMENT THAT ARTIFICIALLY WATERED AREAS DO NOT LAST LONG.

Colorado farmers and agricultural experts are virtually unanimous in their denunciation of the statement credited to Dr. B. F. Galloway in his testimony before a committee of the National House of Representatives to the effect that agriculture can not be carried on successfully for a long time under irrigation.

Farmers in the northern Colorado and Arkansas Valley districts, where irrigation has been practiced for more than 50 years, agree that the lands which have been longest irrigated are now producing the best yields.

Colorado farmers in the irrigated districts are eager that the testimony of Dr. Galloway be contradicted at once lest its falsity do permanent harm to the State among people who have no knowledge of irrigation. Most of them agree that the doctor has studied irrigation only "through a field glass from a palace-car window."

Following are some expressions from men who have made a competency from farming by irrigation in Colorado, and who know whereof they speak:

BUMPER CROPS IN WELD PROVE IRRIGATION—FARMERS, INDIGNANT AT GALLOWAY, POINT TO YIELDS ON LAND LONG WATERED.

GREELEY, *January 26.*

Farmers of Weld County who have accumulated fortunes by tilling land are indignant at the statement credited to Dr. B. G. Galloway, Chief of the Bureau of Plant Industry, who asserts that irrigated lands in the West are deteriorating as the result of being cultivated for a period of years.

There is no grave problem confronting Weld County from this cause, and unusually large yields this year in every crop, with the sole exception of potatoes, farmers say, prove conclusively that the Government expert is grossly misinformed.

N. D. Bartholomew, who has farmed in Weld County for 25 years, and who has accumulated a fortune, said:

"Our land to-day is better than it was 40 years ago or 25 years ago either. It produces better than it once did."

S. A. Bradfield, a pioneer of Greeley, said: "This is the pioneer irrigated section of Colorado. I stand firm in the opinion that there is no better farming country than in this section, and I deny emphatically that the soil is not as good as it ever was; in fact, I know from my own experience that it is a great deal richer and better."

More than a quarter of a million acres are under irrigation in Weld County. Irrigation has been practiced here since 1870 and the territory has been steadily increasing. Land is worth from $200 to $300 an acre, and water rights vary in price from $500 to $3,000.

LORY EXPLAINS STATEMENT—DECLARES PROBLEMS OF IRRIGATION WILL BE SOLVED.

FORT COLLINS, *January 26.*

President Charles A. Lory, of Colorado Agricultural College, when asked to-night for a statement regarding Dr. B. T. Galloway's declaration that there is danger of deterioration of soils under irrigation, said:

"Dr. Galloway's statement should not be interpreted in terms applicable to agriculture under humid conditions. His claim before the House committee was that the methods of humid agriculture would not be successful in irrigated culture. Irrigated agriculture has problems peculiarly its own. They present no greater difficulty than the problem of humid agriculture."

GRAND VALLEY SOIL, WATERED 30 YEARS, BETTER THAN EVER—GRAND JUNCTION EXPERTS DECLARE PROPER IRRIGATION CAN NOT INJURE LAND.

GRAND JUNCTION, COLO., *January 26.*

That systematic and scientific irrigation in no way injures the soil of the Grand Valley is the statement of leading irrigation experts in Grand Junction. They admit that indiscriminate use of water and negligence on the part of landowners is injurious to the land, but this can be easily overcome by drainage. In connection with the $4,000,000 Grand Valley project which is being built by the Government, a mammoth drainage system is also under way, which will cost $500,000 and free the Grand Valley from all fear of seepage in the future.

"No land will be injured by irrigation," declared E. E. Udlock, a landholder, "if any degree of care is taken in handling it. There is land here which has been under cultivation 30 years which is as rich now as any in the world. It lies on the river bottom, too, where seepage would most likely occur."

"I've farmed my ranch for 25 years," declared R. A. Orr, "and the land is better to-day than when I started. I do my own irrigating or supervise it."

"My ranch is 3 miles east of town and is in a rather low spot," declared M. M. Morse, "but seepage is no bugaboo to me. If I turned the water in my orchard for days at a time without looking after it, the soil would become water logged. Any land would, in any place. I am not bothered with alkali."

Much low land in the valley which went to seep before scientific irrigation was known is now being reclaimed.

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COLORADO AND CONSERVATION.

It has been suggested that the chamber of commerce shall send 100 representative citizens to Washington to acquaint President Wilson with Colorado's views on conservation in order that the present "policy of disuse" may be abated, and a wiser and more sympathetic administration of the public domain inaugurated in the Western States.

Whether this plan is carried out or not, it is imperative that Colorado should do something to ameliorate the hardships worked upon the State by Pinchotism and to avert the danger of additional legislation based on ignorance and misunderstanding.

The theorists and bureau experts are already at work, and nothing is more necessary than that their misrepresentations shall not be allowed to poison President Wilson as they poisoned Taft and Roosevelt. Even now the eastern press is charging that "the enemies of conservation" are rallying to attack the whole conservation movement "on the partisan political ground that it is a Roosevelt movement." And Colorado is prominently mentioned as one of the "enemies."

This is not the truth nor has it ever been the truth. Colorado is not antagonistic to the policy of conservation, but is only insisting that it be freed from some apparent evils that have prevented the proper growth and development of this State.

For the East to assume that Colorado is working hand in hand with land grabbers and speculators is an insult to a State that has made a more strenuous fight against special privilege than any other in the Union.

It is to put the public domain into the possession of individual users that Colorado is struggling, and in this struggle there is not the slightest intent to "enrich a few people" or to open the way to huge grabs and ruthless exploitation of the natural resources. In his inaugural address Gov. Ammons put Colorado's position in a nutshell. He said:

"I believe in conservation in the meaning of the prevention of waste and monopoly. I am unalterably opposed to it in its definition of preserving things in their natural state undeveloped for future generations.

"I am also opposed to putting our lands and resources on a tenantry basis to pay taxes into the Federal Treasury. We will never be able to settle our lands and improve them properly unless the people can own them. * * *

"More than half the territory of Colorado and probably more than 90 per cent of the resources, outside of land, are still in Government ownership. To place these on a tenantry basis to pay rental into the Federal Treasury is to withdraw them permanently from State and local taxation. The people, therefore, who must supply county governments and State institutions must pay not only their own just share of taxes, but also those avoided by the Federal property."

It is against these repressions and obstacles that Colorado is protesting and will continue to protest until injustices are remedied. Our people have grown weary of seeing their greatest problem decided in the East, where there is no such problem, and by eastern men who have neither knowledge nor sympathy. We feel that we have a right to share in the decisions that affect the State so vitally and to protest against these decisions when they are stupid and unjust.

Vast changes are taking place under our very eyes, and yet no recognition of them is made in Washington. The "grazing lease," for instance, is now outgrown and has become intolerable. We have found that the waste stretches once deemed usable only for range are fertile in the extreme and available for agricultural purposes. Emmer, the new wheat, means ripening harvests where once the lone steer had to crop acres for subsistence. Other discoveries bid fair to change the whole face of things in Colorado, and yet it is insisted, in the sacred interests of conservation, that we shall govern ourselves according to rules laid down in the past.

The governmental position with regard to water is a case in point also. The fear that water power may become "monopolized" has developed into a mania. In the very nature of the element it is not pos-

sible to monopolize water power, for its use for this purpose works no miraculous disappearance. It is still there, still susceptible to use by others. And out of this ridiculous fear has developed a policy that regards every applicant for any such privilege as a thief and an enemy.

Colorado wants landowners and home builders. Under conservation, as the bureaucrats administer it, Colorado is barred from getting either. Not until the prospector is given the hope of owning the mine that he discovers, not until the old homestead law pushes the "grazing lease" out of existence, can Colorado achieve its destiny.

Gov. Wilson has already stated that he is for conservation not reservation. Let a Colorado delegation prove to him that this State has had nothing but reservation and there is small doubt but that his fairness will agree to a change.

Mr. FOWLER. Mr. Chairman, on the 18th day of this month in the Canadian Parliament a bill was pending for the organization of the Canadian navy, and while it was under discussion a gentleman representing the north Ontario district, a Conservative in politics, the Hon. Samuel Simpson Sharpe by name, took an active part in the discussion thereof. He opposed the bill and took occasion to deliver himself on the personnel of the American Navy. The Washington Post of the 19th day of this month published his speech, and I quote therefrom the following extract:

Few native Americans sign for the Navy, and those who do are desperate. Men who are no good socially, morally, and otherwise. A hard winter, hard times, and strikes make the best recruiting seasons for the United States Navy. Thus it becomes a sort of home for destitutes and moral degenerates. Deserters from foreign ships—Scandinavians, Russians, Finns, Austrians, and Latins—take kindly to the Yankee Navy, for in it they learn the language and a trade, and the life to them is easy compared with their previous existence.

Mr. Chairman, the enemies of Bob Ingersoll said that he was an agnostic because he did not know anything about the future world. The Hon. Samuel Simpson Sharpe, upon the same line of reasoning, must be an agnostic, because he does not know anything about this world, especially about the personnel of the American Navy. The full complement of the American Navy is 51,500 men. There are to-day 47,515 enlisted men in our Navy; 42,857 are American-born citizens, 2,875 are naturalized foreigners, and 128 unnaturalized foreigners have made application for citizenship; 96.25 per cent of our entire naval force are American citizens and 90.20 per cent are American born. For more than six long years the American Navy has not admitted foreigners into its service except those who were members thereof before we required American citizenship as a qualification to enter our Navy

It would seem, Mr. Chairman, from these figures, that instead of the American Navy being a recruiting station for moral degenerates and deserters from foreign ships that it is a place where the best citizens of this land seek an opportunity to render honorable service in defense of this country. More than 73,000 men during the year 1912 offered their services to become members of the American Navy and only 17,743 were admitted, because of the high standard which is required in the examination before one can enter our Navy. Mr. Chairman, I do not desire to throw any reflections upon our sister on our north or upon any of her citizens, but I resent the statement made by this Canadian legislator as a slander upon the personnel of our Navy, and suggest that he acquaint himself with facts before he delivers himself again upon this subject. I want to advise him that the American Navy stands among the best navies in the world, while not as large as some, but among the best and bravest. Whoever heard of braver language more courageously delivered than that of Capt. Lawrence, of the *Chesapeake*, in deadly conflict with the British *Shannon* in 1813, when, wounded and dying, he uttered these immortal words, "Don't give up the ship."

It has been the motto of the American sailor ever since, both at home and abroad. No history has been made brighter in any nation of this world than the record of the deeds of valor of the American Navy. [Applause.] The report which was sent by Commodore Perry of his naval victory on Lake Erie in 1813, "We have met the enemy and they are ours," is an index of the courage and of the bravery of the American soldiers and American sailors.

Our ships float into every clime, on every water, and in every port in the world, and have made for us a reputation as the bravest among the brave, always ready for any emergency on land or on sea, and he who speaks disparagingly either of our Navy or of our Army does it either because he is ignorant of the conditions in America or because he wants to slander the greatest Nation in the world.

Mr. ESCH. Will the gentleman yield for a question?

Mr. FOWLER. Mr. Chairman, I will be glad to yield to the gentleman.

Mr. ESCH. Is it not a fact that when our fleet made its trip around the world and the men of the fleet were granted shore leave, their conduct met with the praise and commendation of the citizens and authorities of every port and nation they visited?

Mr. FOWLER. I am glad the gentleman propounded that question, Mr. Chairman, because I intended to allude to some of the great incidents of the American Navy, among which was the trip around the world mentioned by the gentleman. In every port where that great fleet landed it was hailed with greetings by crowned heads, and our sailors were received in the highest circles. If you want to know the bravery of men, go ask the wreck of our splendid ship the *Maine*, which was blown up in the Harbor of Habana; ask the remains of the dead seamen, 223, who gave up their lives on the high seas that men might be free.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOWLER. Mr. Chairman, I ask unanimous consent that I may have an extension of time of two and one-half minutes.

Mr. SHERLEY. The time was fixed in the House, and it is not in the power of the committee to fix general debate.

The CHAIRMAN. The Chair understands that when the time for general debate is fixed in the House the committee has no power to extend it by unanimous consent.

Mr. FOWLER. Mr. Chairman, I do not care to take up time in the discussion of this bill under the five-minute rule for this purpose, but I will be compelled to take the time then instead of now.

Mr. SHERLEY. I ask for the regular order, which is the reading of the bill.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the sums of money herein provided for be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available and to continue available until expended, namely:

Mr. FOWLER. Mr. Chairman, I move to strike out the last word. The personnel of the American Navy ought never to be called into question.

Mr. SHERLEY. Mr. Chairman, I make the point of order that the gentleman is not speaking to the matter before the committee, and, therefore, is not in order.

The CHAIRMAN. The gentleman understands the bill is being read for amendment, and it is not in order to discuss anything except the matter before the committee.

Mr. FOWLER. Mr. Chairman, the appropriation provided here is for the purpose of protecting the American Navy——

Mr. BUCHANAN. Mr. Chairman, I want to ask unanimous consent that the gentleman be given an extension of time. My belief is that he will ask for only two and one-half minutes, and if it is refused it will consume more time than if you permit him to have those two or three minutes. I therefore ask that he be given unanimous consent to continue for three minutes.

The CHAIRMAN. The point of order was made that he was not discussing the subject in the bill.

Mr. BUCHANAN. I ask unanimous consent——

The CHAIRMAN. The gentleman from Illinois [Mr. BUCHANAN] asks unanimous consent that the gentleman from Illinois [Mr. FOWLER] be permitted to discuss other subjects.

Mr. SHERLEY. Mr. Chairman, at the special request of the gentleman from Illinois, general debate, which was then about to be closed and could have been closed, in my judgment, by a motion, was permitted to extend so as to give him the maximum of the time that he requested. I have no desire except to perform the public business of the country. I submit that we have reached the time in this House when the desire of the gentlemen to speak on general subjects should not be permitted to interfere with the public business before the Congress.

The CHAIRMAN. Does the gentleman from Kentucky object?

Mr. SHERLEY. I make the point of order it is not in order to give unanimous consent after the question has been settled by the House.

Mr. BUCHANAN. I submit that there has been much time wasted.

The CHAIRMAN. The matter is not debatable. The Chair understands that it is out of order to discuss general subjects at this time. The committee may grant unanimous consent to do so. The question is on the request of the gentleman from Illinois [Mr. BUCHANAN] to give three minutes to the gentleman from Illinois [Mr. FOWLER] to discuss general subjects at this time. Is there objection? [After a pause.] The Chair hears none. The gentleman from Illinois [Mr. FOWLER] is recognized for three minutes.

Mr. FOWLER. Mr. Chairman, if the gentleman to whom I have alluded as a member of the Canadian Parliament wants to know anything about the personnel or the marksmanship of the American Navy, I ask him to consult the remains of the *Vizcaya*, the *Cristobal Colon*, the *Maria Theresa*, the *Oquendo*,

the *Pluton*, and the *Furor*, now lying at the bottom of the sea off the Harbor of Santiago Bay. If the gentleman had only made himself acquainted with the history of the Spanish-American War he might have saved himself the criticism of having slandered the American Navy.

Mr. Chairman, it is well known by everybody that the great trip which the *Oregon* made, in charge of Capt. Clark, around the Horn, in order to engage in the memorable battle on the 3d day of July, 1898, has become historical, and every student of history knows that that daring deed compares favorably with any naval event of any fleet or any other war vessel in the world.

I say, Mr. Chairman, the remarks of the gentleman in the Canadian Parliament is a slander upon the personnel of the American Navy, and I challenge him and the world to show a higher citizenship in the Navy in any country, in any clime, upon any vessel, and in any battle than that which has been displayed by the personnel of the American Navy. [Applause.]

I print in the RECORD the following tables taken from the report of the Secretary of the Navy for the year 1912:

Comparative statement of reenlistments.

	1911	1912	Increase.	Decrease.
Men entitled to reenlist under discharge	6,752	11,432	4,680	.....
Total men reenlisted	3,849	6,227	2,378	.....
Total men enlisted	15,724	17,743	2,019	.....
Percentage of men entitled to reenlist who reenlisted	57	54	.....	3
Men enlisted for fiscal year to serve during minority	2,410	2,250	.....	160
Enlisted men serving during minority	6,243	6,646	403	.....
Men holding certificates of graduation	1,180	1,292	112	.....
Men serving under continuous-service certificates	11,405	12,955	1,550	.....
Total number of men serving under reenlistments June 30	12,978	15,309	2,331	.....
Per cent of enlisted men serving under reenlistment June 30	27.26	32.22	4.96	.....
Men serving June 30:				
Under first enlistment	34,634	32,206	.....	2,428
Under second enlistment	8,055	9,289	1,234	.....
Under third enlistment	2,704	3,516	812	.....
Under fourth enlistment	931	1,078	147	.....
Under fifth enlistment	538	542	4	.....
Under sixth enlistment	328	366	38	.....
Under seventh enlistment	186	266	80	.....
Under eighth enlistment	147	159	12	.....
Under ninth enlistment	80	79	.....	1
Under tenth enlistment	9	14	5	.....
Total in service, including prisoners, June 30	47,612	47,515	.....	97

Citizenship.

	Native born.	Naturalized.	Aliens declared intentions.	Aliens resident in United States.	Aliens nonresident in United States.	Natives of— Porto Rico.	Guam.	Samoa.	Philippines.	Total.
Petty officers	13,684	2,064	63	11	13	7	5	5	106	15,958
Other rates	29,175	811	65	150	153	39	67	78	1,019	31,557
Total	42,859	2,875	128	161	166	46	72	83	1,125	47,515

The above includes 864 prisoners who are not counted in the full number allowed by law.

Nativity and residence of the enlisted force.

Native born	42,663
Foreign born	4,852
Total force	47,515

States furnishing greatest number native born.

New York	6,484
Illinois	2,537
Indiana	1,695
Texas	1,323
Pennsylvania	4,648
Ohio	2,466
Maryland	1,421
Michigan	1,314
Massachusetts	2,575
New Jersey	1,813
Missouri	1,381
Iowa	1,014
Total	28,671

Greatest number of foreign born, by countries.

Philippines	1,123
Sweden	294
Japan	214
Germany	636
England	236
Ireland	435
China	232
Total	3,170
Residents of the United States	45,726
Nonresidents	1,789
Total force	47,515

Color.

White	44,261
Negro	1,438
Chinese	258
Japanese	210
Filipino	1,125
Samoan	83
Chamorro (Guam)	72
Hawaiian	18
Indian American	4
Porto Rican	46
Total, including 864 prisoners under sentence dishonorable discharge	47,515

Enlistments.

Applicants for enlistment		73,364
Applicants physically qualified and enlisted:		
First enlistment	11,516	
Reenlistment	5,720	
Applicants' disqualifications waived and enlisted	507	
	17,743	
Applicants accepted who failed to enlist	3,829	
Applicants rejected for physical disability	36,999	
Applicants rejected for other causes	14,793	
	51,792	
		73,364

Summary of enlistments.

Number of enlistments at recruiting stations	12,489
Number of enlistments at naval stations in the United States	716
Number of enlistments at foreign naval stations	333
Number of enlistments on receiving ships	2,740
Number of enlistments on cruising vessels	1,465
Total enlisted	17,743

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

For the procurement or reclamation of land, or right pertaining thereto, needed for site, location, construction, or prosecution of works for fortifications and coast defenses, $100,000.

Mr. GILLETT. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Massachusetts [Mr. GILLETT] moves to strike out the paragraph.

Mr. GILLETT. I would like to ask the gentleman from Kentucky [Mr. SHERLEY] in charge of the bill if this is the paragraph to purchase the land on Chesapeake Bay?

Mr. SHERLEY. It is.

Mr. GILLETT. This project for the defense of the entrance to Chesapeake Bay has been pressed upon the Committee on Appropriations by the War Department ever since I have been on that committee. I remember that about 10 years ago the committee went down the bay, as I believe it has done this year, and investigated personally the conditions there, and every year from then until now this project has been pressed upon the committee, and every year until now the committee has rejected it. This is the first time that a favorable report has ever been made upon it.

That illustrates the great advantage which the Army and Navy always have in finally accomplishing their projects, because the Army and Navy are always steadfast to their opinions. They are always here, while the membership of this House is shifting; and some year, if they press it year after years, as has happened in the case of this and so many other projects, they will find a committee that is favorable. Then the proposition will be reported, and that project, if it is once under way, is bound to be completed, and then they can devote their energies and persistence to some other project which the House up to date has rejected.

But, of course, that is no argument, necessarily, against this project. We all have the right to change our minds, and different committees can have different opinions. But I wish to call the attention of the committee first to the proposition that the main ground upon which this is reported is that the Army and Navy are unanimous for it. That proposition has been equally true ever since I have been on this committee. They have recommended the defense of the entrance to Chesapeake Bay, and the delegation from Virginia, naturally and properly, have always urged it upon the committee.

But what is the reason for defending the entrance of the Chesapeake Bay? Unquestionably the cities of that bay are as well defended as any in the country to-day. We have Fortress Monroe, we have the defenses of Baltimore, we have the defenses of Washington all completed, and all within the original project of the Endicott Board, wherein this defense

at the entrance of the bay was reported as an outer defense. The original project, or the project that was pressed upon us for many years, was that an artificial island should be constructed at the entrance of the bay. In that way the deep-water channel could be absolutely covered and defended against an approaching hostile fleet.

That unquestionably would be better than to fortify Cape Henry, but the expense would be very large, and I presume it was upon that ground that the subcommittee now have abandoned the island project, which would be a much stronger defense, but which would be a more expensive project, and it is doubtless upon that ground that we now have proposed simply a fortification upon Cape Henry and none on Cape Charles.

Now, the entrance to Chesapeake Bay is 12 miles wide, but the deep-water channel comes within about 5 miles of Cape Henry, so that if modern guns are erected upon that cape, as this project, I understand, proposes, the deep-water channel will be adequately protected.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. GILLETT. I ask that my time be extended five minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. GILLETT. Beyond this deep-water channel are 7 miles of shoal water, but in that shoal water there are channels 18 to 23 feet deep, so that the scout boats of the enemy and the transports of the enemy can still come in, and the Army engineers tell us that despite these fortifications on Cape Henry it will be necessary to have a flotilla of armored vessels of the scout size in Chesapeake Bay to protect it against the scouts and transports of the enemy. So that we are not absolutely defending it, and I venture to predict that just as soon as this project is completed the Army and Navy will tell us that it is necessary to have another battery over upon the other cape, and the reason they do not say so now is because they are willing to accept this project and partially defend it, and then I predict we will be asked to fortify the other cape, and thus absolutely cover the channel.

Now, I recognize that we would all like to have that bay protected. We would like every bay along the coast protected, but I recognize the truth of what the gentleman from Kentucky [Mr. SHERLEY] says, that after all you can not lay down a hard and fast rule as to what you shall defend. It is a good deal like a man's life insurance or fire insurance. Different men will have different opinions as to how adequately you should insure. The same man at different times may have different opinions, and so this committee at different times has shown that it has, and some members of the committee have had different opinions upon this very project.

But in my opinion this is not a necessary project, because the cities of the bay are now all well protected. Lynnhaven Bay could be used by a hostile fleet to be sure as a refuge, but we can not shut up all the bays on the Atlantic from hostile fleets. If we shut up Chesapeake Bay, there are plenty of other undefended bays to which a hostile fleet can go, and where they can take refuge. So we are not preventing them having a base on the Atlantic coast. Why, then, should we go to this expense of $3,500,000 to fortify the entrance of a bay whose cities are all admirably fortified? It seems to me that while our present coast defenses are not completed, while it now requires $21,000,000 to complete the fire control, the modernizing of the equipments, the searchlights, and the electrical installations of the forts that we have on our coasts, while so much money as that still remains to be expended and ought to be provided to make them serviceable, it is foolish for us to launch out into a new project costing between $3,000,000 and $4,000,000. And it strikes me it is particularly strange that the Democratic majority, which refuses to increase the size of the Army, which says it is going to diminish the appropriations for military defenses, should come forward with this project, which necessarily increases the Coast Artillery force to protect Chesapeake Bay, because to-day the Coast Artillery force is grossly inadequate. And we all know that the Coast Artillery are not like an ordinary army. We can not recruit them at a moment and have them serviceable. The Coast Artillery is more like the Navy. This country has lately decided that it is not the number of guns we have, but it is the number of hits we can make that count. So in the Coast Artillery you have got to have skilled men. You can not recruit them at the moment of war as you can our ordinary army. You have got to have men who can make the guns tell. They will be needed at the very outbreak of the war and must know how to manage their guns at the very first approach of the enemy.

Now, in what condition is our Coast Artillery to-day? The Coast Artillery report says that to give not a war force, but just one single manning for our present home coast defenses, would require 44,000 men, and all we have to-day to man those present existing forts is 21,000 men. So that there is to-day a lack of 23,000 men to give just one manning to our present home Artillery force.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. GILLETT. Mr. Chairman, I will ask for an extension of five minutes more and then I will request no further extension.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. SLAYDEN. Will the gentleman permit a question?

Mr. GILLETT. Certainly.

Mr. SLAYDEN. As I understand the gentleman's argument, he is suggesting a large increase, about 50 per cent, in the Coast Artillery Corps?

Mr. GILLETT. It seems to me that there ought to be at least that.

Mr. SLAYDEN. I have been told by a general officer of the United States Army that it is the policy of some governments not to maintain at their full strength Coast Artillery organizations, because it is a character of work that can be supplemented by laborers and intelligent mechanics, assuming, of course, that a skeleton of trained men is kept to direct these people. A general officer of the United States Army gave me that information, if it is information.

Mr. GILLETT. All I know is what the chief of our Coast Artillery says, and he makes the point that the Coast Artillery men are men that you can not recruit at once, but that experience is necessary to make them useful.

Mr. SLAYDEN. The gentleman knows that if he goes to the head of the Cavalry arm, or an officer of the Infantry arm, or of the Artillery, that he will try to convince him that the country is going to the devil in short order if that particular arm of the service is not augmented.

Mr. GILLETT. I will agree with the gentleman; and I do not blame the Army officers for that tendency, because no man in a professional line is worth much if he does not exaggerate, even to himself, the importance of his line. They ought to be enthusiastic. It is true that the board that is planning our coast defense are very apt to exaggerate—and that is an argument really against this project—because they are apt to overexaggerate the need of defense. We can see why it is, and probably we would do the same thing if we were in their place, because in case of war if a disaster happens in any one spot they want to be able to say, "We recommended to Congress that that spot should be defended, and therefore it is Congress and not we that are to blame." I presume it is true that the chief of every division will exaggerate the importance of his recommendation; but it does seem to me that when to-day it requires simply to man once our present existing coast defense 44,000 men, and we have only 21,000 for that purpose, that is an argument that before we branch out to inaugurate new defenses we ought, at least, to complete the old and to complete the manning of the old.

Moreover, the existing defenses are not worth anything unless they have men who can shoot these guns with accuracy; and also they are not useful unless they have the fire control, the searchlights, and power plants, and all the other appurtenances which go to-day to make up a great fortification. There is now lacking $21,000,000 to complete all these; so it seems to me, Mr. Chairman, that now is a strange time to take up this new project, which has been before us and rejected so many years.

Mr. SLAYDEN. Will the gentleman yield for another question?

Mr. GILLETT. Certainly.

Mr. SLAYDEN. Does not the gentleman think it would be an excellent idea to supplement our defenses with treaties of arbitration with all the governments of the world?

Mr. GILLETT. Oh, I am as much in favor of that as anybody could be, and would be glad to do it, but I recognize the uncertainty of war. We may not need these defenses, and we may need them. We have to exercise a certain elasticity of judgment, and many men will differ. I have stated my opinion that this defense is not imperatively necessary and we should still postpone it as it has been postponed so many years.

Mr. MANN. Mr. Chairman, I wish to ask the gentleman from Kentucky whether there were elaborate plans made for this proposed fortification, what they are, and what it is going to cost?

Mr. SHERLEY. Mr. Chairman, in answering the gentleman from Massachusetts I shall endeavor to give the gentleman from Illinois the information he asks for. The gentleman from

Massachusetts has truly said that this proposal has been before Congress for some 10 years, but he draws from that fact a very different conclusion than I would draw from it. He says, having been before Congress for 10 years and Congress having heretofore not agreed to it, it should not agree to it now.

But I submit in all candor that the very fact that in the face of repeated refusals of Congress to agree to the project—not just the project now before the committee, but one touching the fortification of the Chesapeake—the Army and the Navy have given the best evidence of the importance of it, from their viewpoint, and I present now to this House this question, and it seems to me fundamental, whether we, as laymen, are going to put our judgment as to a strategic matter of this kind against the judgment of men trained to determine it, after that determination has become fixed and the plan has become a detailed one, and when, in my judgment, the present plan also answers the objections that heretofore have been made. The original proposition that was submitted to this Congress was contained in the report of the Endicott Board. It did not report that the defenses of Washington or Baltimore or of Norfolk were sufficient in themselves, but it recommended at that time as the only practical way of defending the mouth of the Chesapeake, the stationing of certain monitors there. That proposition was revised by the Taft Board; that board recommended the building of an artificial island, and the placing of batteries upon Cape Charles and Cape Henry.

Mr. Chairman, no subject has gone through a greater evolution than the art of seacoast defense. The range of guns, the accuracy of fire, particularly the accuracy of fire of mortars, to-day compared with the old days have revolutionized seacoast defense, and more and more as the warships have had heavier armament and heavier armor has the tendency been to increase the size of our guns and their range, so that to-day, instead of having a proposition with all of the uncertainty that was involved in a project to build an artificial island, the cost of which nobody knew, and the sufficiency of which no one could then determine, we have now a proposition that contemplates the use of armament of sufficient caliber and sufficient range to cover the mouth of the Chesapeake; and the gentleman is not accurate when he says that it will be impossible for the guns upon Cape Henry to control the field at the mouth of the Chesapeake. It is about 12 miles from Cape Henry to Cape Charles. A modern 16-inch gun will be able to cover entirely that field, and that is also true of the modern mortars that it is proposed to station there; and when that is supplemented with the mine defense, I say to you that the testimony of the officers showed that it would be an adequate defense.

Mr. GILLETT. Mr. Chairman, the gentleman does not mean that 12 miles can be covered by a battery with an effective defense?

Mr. SHERLEY. I do not mean to say that the actual 12 miles can, but I mean to say that the entire usable channel can.

Mr. GILLETT. Yes; the deep water. That is 5 miles.

Mr. SHERLEY. Not only the deep water, but what the gentleman has spoken of as of less depth, for transports, will be within the field of the range of the 16-inch guns, and it was so testified before our committee.

[The time of Mr. SHERLEY having expired, by unanimous consent he was granted five minutes more.]

Mr. Chairman, the proposition that confronts us is this: It is true that the fortifications of Fort Monroe, that the fortifications upon the Potomac, that the fortifications at Baltimore, protect Washington and Baltimore from sea attack; but it is not the purpose of this fortification at the mouth of the Chesapeake to simply protect those cities from sea attack. This is the proposition that underlies the whole matter. You have a great harbor for the rendezvous of ships. At Lynnhaven Bay is one of the greatest anchorages upon the Atlantic coast. There is not now mounted a single gun upon the Atlantic shore that could in any way prevent a fleet, assuming that it was not interfered with by our fleet, anchoring in Lynnhaven Bay, and making a safe base for operations there in the Chesapeake. The very purpose of defense is to leave your Navy free to seek the enemy. If you have here at home a safe rendezvous that a foreign navy can use for operations, you have presented a situation that would compel in the breaking out of war the bringing of part of your fleet to prevent the use of this rendezvous by another fleet.

Not only is that so, but in the event of an indeterminate action between the American fleet and a foreign fleet, you need to go into some place for refuge, and as a refuge this is in many ways the most attractive place upon the Atlantic coast, and it would be at any time to our fleet. I grant you that it is hard for a lay mind, and I share the difficulty, to contemplate a situation where our fleet might be so destroyed that the enemy's fleet would be at liberty to make landing parties of great size, to bring transports and troops, and take, by overland, any of those cities.

And yet the War of 1812 presented just exactly that proposition, and it was through this entrance that the forces were landed and marched on to the Capitol and burned it. Now, the gentleman says there are plenty of harbors that are not fortified that can be used. The gentleman's information is better than mine, as I can not recall any harbor, and I call on him now to say what harbor there is near the Chesapeake that is undefended that could be used as a rendezvous by a hostile fleet.

Mr. GILLETT. I did not say near the Chesapeake, but what is the matter with the Delaware breakwater?

Mr. SHERLEY. Does the gentleman think that behind the Delaware breakwater a fleet could lie?

Mr. GILLETT. Why, I think so.

Mr. SHERLEY. Does the gentleman mean to say they could make that a base for operations?

Mr. GILLETT. I do not see why not. It is not as good as Lynn Haven Bay, but it is satisfactory. There are a number of undefended harbors also in New England they could get into. Of course, those are not near the Chesapeake.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. MOORE of Pennsylvania. I think there is no question but that a fleet could be accommodated behind the breakwater if the breakwater were dredged out, but the difficulty is now it has shoaled up to a certain extent, and we have been unable to have those shoals removed.

Mr. SHERLEY. I am speaking of conditions as we have them to-day. I am not advised of any place that is comparable in its importance and in its availability as the Chesapeake. Now, the gentleman says we should not undertake this matter until we have brought up all the units of our defense, and he cites to you the fact that twenty-odd million dollars is needed now for the defenses we already have.

Now, the gentleman is again mistaken. It is true that estimates exist looking to the expenditure of something like $27,000,000 for what might be designated as accessories to our coast defenses, but it is unfair again to assume, because the estimates exist for these additional needs, that therefore the present defense is inadequate. For instance, we have at present at practically all of these fortifications temporary fire control, a fire control that is sufficient in time of war, but yet not the permanent system that is proposed to be installed for all time. So is it true in regard to the searchlights. We have not all we ought to have and all we will have, but the gentleman is not warranted in giving the impression to this House that other places are so in need of money for accessories that you should not expend the money here. Now, we are actually proposing to expend somewhere between $100,000 and $150,000. I have frankly stated to the committee that in my judgment the expenditure in the final run will amount to nearly $4,000,000, if not quite that sum.

I present to you this proposition: That there is unanimity on the part of Army and Navy officers, first, as to the necessity for defending the lower Chesapeake; second, as to the efficiency of the proposed defense; third, as to the great size and value of the commerce that uses those waters; fourth, as to the stake that we have there in the Norfolk Navy Yard; fifth, as to the great cities of Washington, the Capital of the Nation, Norfolk, and Baltimore; that it is not an extreme position to say that the Government, having embarked upon millions and millions of expenditure for national defense, shall undertake this project, calling for $4,000,000, that has back of it all of this at stake. Because of all this, I did not feel I should put my judgment against the judgment of these officers. I had a good deal of the feeling of the gentleman from Massachusetts, and a large part of it was due to the fact that at one time the project did not present what seemed to be feasible. They came to us with an artificial-island proposal when we did not know what the character of the foundation was upon which it was to be built or the amount of money that it was to cost. They came to us at a time when our range of guns was very limited as compared to what it is now.

There were many reasons why we were warranted, and I defend the action of the committee in the past, in having refused to agree to the project; but I believe we have reached a time when the project is sufficiently advanced to enable us to judge clearly and realize that it will be adequate, and I am not willing, with the responsibility put upon me, to put my judgment against these officers. Now, much is said about Army and Navy officers always desiring to do various unjustifiable things, and the gentleman from Massachusetts [Mr. GILLETT] very prop-

erly qualifies his suggestion by saying they ought to be zealous, but I deny that our Army and Navy officers are simply seeking an opportunity to spend money. I think they have spent a great deal, and a great deal for which we did not get a proper return, but taking them man for man I believe they rank as high in intelligence, in patriotism, and in desire to serve the interests of our country as any of the citizens of America, and their integrity is beyond question.

They come from the body of us, they come from our congressional districts, and there is no reason why they should have imputed to them always the motive of desiring their own interest when they make a recommendation to the Congress of the United States. I hope the motion of the gentleman from Massachusetts may not be agreed to.

Mr. HELM. Mr. Chairman, I move to strike out the last two words.

When this bill was before the House on a former occasion, in the endeavor to get some information about our method of maintaining our coast defenses, I asked my colleague, the gentleman in charge of the bill [Mr. SHERLEY], some questions, and among them was this one:

In case a shell was dropped over behind this embankment or protection or rampart and should explode in proximity to these guns, what probable effect would the débris thrown up have upon the machinery for raising and lowering these guns?

The answer was:

I should say, if it was a big enough shell and exploded close enough, it would put the gun out of commission.

Now, I do not pose as an expert. I have no training or knowledge whatever of war or of the machinery of war, but I ask this committee if that statement does not present some food for thought, and is it not worth while to consider it?

If I understand the way in which these guns are operated, they are operated from behind a bank, something similar to the walls here that support this balcony. The guns are down here, and have machinery with which to lift them above the top of the embankment behind which they are concealed. They are lifted, fired, and then are immediately lowered. I presume these coast-defense guns are of different caliber.

I have received information from a source that I consider reliable that guns of very small caliber are established at some of these coast-defense stations, and it was represented to me by an officer who was in this particualr branch of the Army, that some of the guns that are behind these places are inferior in caliber, range, and effectiveness to the guns carried and fired by a dreadnought or man-of-war, or, to put it as concretely as I can, that a man-of-war could stand off at sea and thow a shell over into this emplacement, and that the gun in the emplacement on the coast did not have the range to reach the man-of-war. In other words, it would be like my engaging in a pistol duel with a man who had in his hands an improved or special "44" while I had a "22," or a Flobert rifle, or something like that, though not as extreme.

Mr. SHERLEY. Will the gentleman yield for a question?

Mr. HELM. With pleasure.

Mr. SHERLEY. Does the gentleman remember what happened when Port Arthur was attacked by sea? Port Arthur was in no sense as strong a fortification as ours.

Mr. HELM. I do not. I am only giving this information for what it is worth and in the utmost good faith. There is no intention of reflecting on anybody connected with the committee or any officer of the Army. It came to me in such a way that it made a strong impression on me as a matter worthy of consideration and attention, and I thought it might be worth five minutes of time to try to present it to the committee as best I could.

Mr. KOPP. Will the gentleman yield?

Mr. HELM. With pleasure.

Mr. KOPP. Is it not a fact that in most of our coast defenses the caliber of the guns used is much larger than the caliber of the guns used on a modern battleship, and with a much more effective range?

Mr. HELM. The only thing I can say is a repetition of what I have said, that an offier of the Army in this particular branch of it—in the coast defense division of the Army—conveyed the information to me in person that the coast-defense guns could not compete with those of the Navy. That is the best term I can use to convey my idea. He said that they did not have the reach—not all of them, but some of them—and he further said that a gun on land, the same gun and same caliber, had, by reason of its having a permanent location, a longer reach than the same caliber of gun with the same amount of powder on a vessel. Is that correct? I think I have quoted him substantially correct.

Mr. KOPP. Certainly.

The CHAIRMAN. The time of the gentleman from Kentucky [Mr. HELM] has expired.

Mr. HELM. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. HELM. I simply bring that out for information. It was news to me. I did not know that until the officer told it to me. I simply mentioned that to corroborate and substantiate myself in the fact that I did receive such information.

Mr. KOPP. I think the officer must have been mistaken in this respect. He may have been discussing antiquated guns or guns that were effective a few years ago, but in discussing those guns he should place against them the guns that were placed on the battleships in that day. The guns that have been placed in our fortifications lately are much more effective guns than guns carried on our battleships to-day.

Mr. HELM. Just a moment. I never saw one of these guns or these pits in which these coast-defense guns are concealed during my life. But I understand there is a gun used called the "Crozier disappearing gun." Is that correct?

Mr. KOPP. Yes.

Mr. HELM. Now, this gentleman, the officer who gave me this information, was talking to me about the Crozier disappearing gun.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. HELM. Yes.

Mr. SHERLEY. Was not this the contention of the officer—and it is an old one—that we ought to use 12-inch guns at a high velocity instead of using guns of a larger caliber with larger projectiles and a less velocity? Now there are two schools of thought——

Mr. HELM. Will the gentleman allow me to go on? I have but a limited time.

Mr. SHERLEY. I simply wanted to suggest to the gentleman that this was the contention: It was found that by firing a 12-inch gun at a certain velocity the tendency after a few shots was to wear the gun out; that the same velocity and impact could be had by using a larger projectile from a larger calibered gun at a less velocity, because the force of impact is determined by the weight of the projectile in connection with the velocity with which it is carried.

Mr. HELM. Now, does the gentleman want me to answer the question?

Mr. SHERLEY. Now, as the result of that, the 14-inch gun would last very much longer, and the Army is using a larger caliber of gun with less velocity, and the Navy is using a smaller caliber of gun at a higher velocity.

Mr. HELM. Now, in answer to the gentleman, I do not now recall that the views explained by him were touched upon by the officer giving me this information. The position that this officer seemed to take was this, if I can express it as aptly as he did: That when this shell was dropped over close to this disappearing gun, which had more or less complicated and intricate machinery to raise it and to lower it, or when a shell was dropped anywhere close to it, plowing up the ground and throwing up stones and débris generally, such as would follow such an explosion, a cloud of this débris would be thrown over or dumped upon these guns equipped with this machinery, and that stuff would get mixed up in the intricacies of the machinery, and you would have a good gun and you would have plenty of ammunition, and you would have plenty of men to operate the gun, but this trash and stones and other débris would get into this intricate machinery, prevent its operation, and put the gun out of commission.

Now, that suggested to my mind a line of thought and raised the question with me—and that is my only purpose in rising and inflicting myself on the committee—the question as to whether, if that is true, we are maintaining the right kind of guns for coast defense. And I will state, further, that this officer said and gave it as his opinion—not as mine, and it struck me with some force—that there was no reason why these guns should not stand out in the open and speak for themselves and defend themselves. I do not know; I do not put up my judgment or my opinion for anything; but if a gun is established and made stable it can not, at least, be put out of commission by reason of the débris that becomes mixed up with the intricate and involved machinery that is used in elevating and lowering it. It is a thought that is perhaps worth following up.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. Mr. Chairman, I rise for the purpose of opposing the motion of the gentleman from Kentucky [Mr. HELM], and I want to ask the gentleman in charge of the bill a question.

Mr. SHERLEY. Certainly.

Mr. COX. The gentleman spoke a moment ago about these guns wearing out after being fired a certain number of times. Take the 12-inch guns. How many times can that gun be fired without wearing out?

Mr. SHERLEY. My memory is, 300 times.

Mr. COX. That is, with solid shot?

Mr. SHERLEY. With the usual projectile.

Mr. COX. Then what is done with it? Does it have to be relined?

Mr. SHERLEY. It must not be assumed that when a gun begins to wear that it is a useless gun. It simply becomes a less accurate gun, just as the gentleman knows, if he has ever shot with a rifle, that after a while the wearing of the rifling in the barrel will have the effect of interfering with the accuracy of the gun.

Mr. COX. How many shots will a 14-inch gun fire before it is worn out?

Mr. SHERLEY. There is nothing in the 14-inch gun that makes it any better than the 12-inch gun if used under similar conditions; but by using a larger projectile, with a smaller charge of powder and less velocity to the projectile, there is less wear upon the rifling, and the difference would be somewhat in proportion to the amount of powder used.

Mr. COX. Does the gentleman think it would fire about as many shots as a 12-inch gun?

Mr. SHERLEY. As now used it will fire more, because the velocity is lower than in the 12-inch, and so the erosion is less. At the same velocity it would probably last as long, though I have a dim recollection—the gentleman appreciates the fact that he is questioning me concerning a very technical branch——

Mr. COX. I am; and I am asking for information, because I do not know anything about it.

Mr. SHERLEY. I have a dim recollection that some one, probably Gen. Crozier, testified before our committee that there was a little difference in the life of guns, varying according to size.

Mr. COX. How much does it cost to manufacture a 12-inch gun and mount it? What is the cost complete?

Mr. SHERLEY. It costs about $128,000 for the gun and its carriage. That does not include the emplacement. That work is done by the engineers. The work done by the Ordnance Bureau, which includes the gun and its carriage, amounts to about $128,000.

Mr. COX. Does it cost about the same amount to manufacture a 14-inch gun that it does a 12-inch gun?

Mr. SHERLEY. About the same.

Now, I promised to tell the gentleman from Illinois [Mr. MANN] about the character of the armament to be placed on Cape Henry.

Mr. MANN. And where it is to be located.

Mr. SHERLEY. It is to be located at Cape Henry, almost at the end of it, so that there will be a complete control of the entire outer harbor. If the gentleman is at all familiar with that ground——

Mr. MANN. I am familiar with it.

Mr. SHERLEY. It is just beyond the lighthouse, out toward the sea, on a strip of land there. The shore line curves there, and the chord of the arc is about a mile long.

Mr. MANN. That would command the channel across between the capes, would it?

Mr. SHERLEY. Not only command the channel——

Mr. MANN. But the entrance?

Mr. SHERLEY. And the entrance, and would prevent any ships lying around near the entrance and coming suddenly into range of fire. They would be within extreme range of the gun fire. There would be no land shelter for them.

Mr. MANN. My recollection is that the channel there that is necessarily used by the vessels is close to Cape Henry, on the south side.

Mr. SHERLEY. The deeper channel is, and most war vessels would certainly have to use the deeper channel. This proposition must be borne in mind: That the commander of a ship would not unduly risk his ship unless something very great was to be gained by it. It is conceivably possible that a given ship might, under very favorable circumstances, run the fortifications, but that a sufficient number of ships could run them so as to make their doing it of any value I do not believe possible.

Mr. MANN. I was down there last summer on a revenue cutter, which was blowing up a stranded vessel, and learned by experience how it was done, and my recollection is that the captain of the revenue cutter, who was certainly fully acquainted with the methods of navigation there in the channels, stated that it was impossible for his vessel to go into the entrance at any place except through the channel which is right up against Cape Henry, and not a very wide channel at that.

Mr. SHERLEY. That is true, and the accuracy of firing of modern guns within a field of 5 or 6 miles is surpassingly great.

Mr. MANN. Certainly no battleship with a draft of over 20 feet or even less than that would have the chance of a snowflake in the lower regions to get by the fortifications on Cape Henry.

Mr. SHERLEY. I think it would be very improbable.

Mr. MANN. Now, Mr. Chairman, if the gentleman will yield for one more question.

Mr. SHERLEY. Certainly.

Mr. MANN. Cape Henry is close to Virginia Beach, a somewhat noted summer resort, and there is a summer resort right on Cape Henry. There was a time when this matter was urged before Congress when many gentlemen suspected that the people most active in urging this fortification were those who were interested in disposing to the Government at a high compensation of a summer resort that was not profitable. I take it that the gentleman's investigation has gone far enough to absolutely assure him that the necessity of this grows out of the real opinion of the War Department and not out of the desire of people to dispose of property to the Government.

Mr. SHERLEY. I have, and I will say this to the gentleman. Of course it is perfectly natural that people having property to sell, who expect to get a good price for it, should want to sell it. It is perfectly natural that people at Norfolk and the surrounding country should be anxious to have money expended on fortifications in that vicinity. Massachusetts is the only State that I have discovered, on this floor at least, that wishes that it did not have the fortifications around there to defend Boston. A gentleman from Massachusetts made that statement on the floor a few days ago, to my surprise.

This is the situation touching the land: The land is not worth anything as productive land, but by virtue of being a very attractive sand beach and being near large centers of population, the whole strip of land is rapidly being used by summer residents and hotels, not of very fine character, but in some instances of some pretension.

This particular strip of land is occupied but by very few buildings. Its probable value is, I think, somewhere between $100,000 and $130,000 or $140,000.

Mr. MANN. If the gentleman will permit, I do not know how many Members may be here who were on what they call the Jamestown survivors trip two years ago, I believe, when we took luncheon at this place.

Mr. SHERLEY. That was a little bit above the point.

Mr. MANN. Yes; but very close to it.

Mr. SHERLEY. Very close to it. The actual formation of the land is such that the constant winds from the sea have been piling up the sand and drifting it back onto large forests until you have sand dunes rising to a considerable height, and when you climb to the top of them you look down upon a forest of trees, and gradually year by year the sand is encroaching more and more on the forests.

But the point I want to suggest to this committee is that there is ample protection for the Government, so far as there is ever protection for the Government, in the purchase of this land. It has power of condemnation, if it becomes necessary, and while I am as solicitous as any man here in a desire that not a penny shall be expended beyond the real value of this land, I do not believe that the question of whether we shall pay $110,000 or $130,000 for the land is a material matter in connection with the project. The value of the land is a minor factor in the whole expenditure, which will reach somewhere near $4,000,000.

Mr. MANN. How much land does the project contemplate will be required by the Government?

Mr. SHERLEY. About a mile of water front and half a mile deep.

Mr. MANN. On which water front?

Mr. SHERLEY. On Chesapeake Bay. I mean a mile of shore line and half a mile back from Chesapeake Bay.

Mr. MANN. Which shore line?

Mr. SHERLEY. From the lighthouse out toward the sea.

The CHAIRMAN. The Clerk will read.

Mr. HAMILTON of West Virginia. Mr. Chairman, it seems to me that to complete the record we should have a vote. The gentleman from Massachusetts moved to strike out the paragraph and it ought to be voted on.

Mr. SHERLEY. I so understood it, but was informed otherwise informally by the Chair. Did the gentleman from Massachusetts move to strike out the paragraph?

Mr. GILLETT. I think I did.

Mr. SHERLEY. Then I ask for a vote.

The question was taken; and on a division (demanded by Mr. SHERLEY) there were 9 ayes and 29 noes.

So the amendment was rejected.

The Clerk read as follows:

Hereafter estimates shall not be submitted to Congress for appropriations for construction of gun and mortar batteries, modernizing older emplacements, and other construction under the Engineer Department, in connection with fortifications and other works of defense, until after plans, specifications, and estimates of cost shall have been prepared therefor.

Mr. MANN. Mr. Chairman, on that I reserve the point of order.

Mr. SHERLEY. Mr. Chairman, I desire to offer an amendment to that paragraph.

Mr. FOWLER. Mr. Chairman, I also reserve the point of order.

Mr. SHERLEY. Mr. Chairman, the paragraph is clearly subject to a point of order. The purpose of the paragraph is this: In considering the estimates the committee has constantly been confronted with a condition where the engineer officers, when asked what a particular project would cost, would reply that they thought it was going to cost a given sum, but that they did not want to be considered as being absolutely tied to that sum. They would state that that is their guess. Then, when they are questioned as to why they can not give us something more than a guess, we are told that the definite plans have not been always prepared prior to the submission of the estimate, and that as a result they are simply figuring from similar work elsewhere as to what this particular work will cost. The result of that is to produce what I consider a very bad situation. I believe Congress is entitled to know in advance, within reason, what a project is going to cost before it undertakes the work. We were furnished an illustration of that in the Philippines, where the engineering work touching emplacements on El Frailey, cost over $1,000,000 more than was originally estimated, using the word "estimate" in the way that the engineers now use it—the reason being largely that a detailed plan had not been worked out. It is only fair to say that subsequently the general design was enlarged and more concrete and heavier armor used in that very peculiar fortification. But, I think, the reform here aimed at will be a salutary one. The engineers when they are questioned say, "We did not get so and so from the Artillery," or "We were not sure about certain plans of the ordnance," and always it has been difficult to place the responsibility. Hereafter, before projects are presented, it will be incumbent upon the various corps to get together and perfect their plans, so that they can give us a reasonable estimate.

Take, for instance, the situation at present in regard to San Pedro, which is the defense for Los Angeles. We are just undertaking that work in this particular bill, and we are carrying $100,000 for emplacement work. When I asked Col. Burr what the cost of the emplacement would be for the fortification there he told me in round figures, and said that that was his guess. I said that I hoped it was going to be a more accurate guess than the one we had in the Philippines, and he then stated the reason why he was unwilling to assume the responsibility of tying himself to exact figures.

Mr. MANN. Mr. Chairman, I believe there is no department of the Government where the officers in charge read the language of the law and endeavor to follow it as carefully as they do in the Engineer Department of the War Department. I would like to ask the gentleman just what the language in this bill means. It says:

Estimates shall not be submitted to Congress for appropriations for construction of gun and mortar batteries, modernizing older emplacements, and other construction under the Engineer Department in connection with fortifications and other works of defense.

Does that mean that they can make no estimate for anything in connection with the defense of the Government from the Engineer Department until there have been plans and estimates of cost prepared in advance?

Mr. SHERLEY. The language there follows, or was intended to follow, the exact language of the bill. For instance, the gentleman will find that one of the paragraphs in the bill is for the construction of gun and mortar batteries.

Mr. MANN. Yes.

Mr. SHERLEY. Another one is for modernizing older emplacements, and there is other construction work under the bill. Of course it would only apply to this bill.

Mr. MANN. No; it would not. This is a general provision of law.

Mr. SHERLEY. I do not mean to this bill, in a calendar sense, but I mean only to the scope of this bill.

Mr. MANN. I do not think that is correct. You can put a provision in this bill that covers anything, just as we did in the District bill last year. As a matter of fact, would not this language forbid the department from making an estimate for anything in the way of defense of the Government until these plans, specifications, and estimates of cost shall have been prepared? It may be the placing of a fortification in front of a harbor in time of war or something of that sort. The general language in the paragraph seems to cover everything in the way of construction for works of defense.

Mr. SHERLEY. This bill is in connection with fortifications and other works of defense, and we have used the language of the bill.

Mr. MANN. I am not endeavoring to criticize it, but I am simply calling attention to it.

Mr. SHERLEY. I understand. It may be that there should be an exception in time of war, but certainly in time of peace I know of no reason why they should not. There is one amendment that I propose offering that I think ought to be offered, and that is to strike out the word "specifications," and the reason for that is this:

I am informed that the specifications are rarely drawn up until just when the actual work is about to commence and the specifications are put in the hands of either the officer doing the work or, in the case of a contract, in the hands of the contractor.

Mr. MANN. Now, the gentleman will notice the bill carries an appropriation of $5,000 for the preparation of plans for fortifications. The bill does not carry any appropriation for the preparation of plans in connection with fortifications and other works of defense. It may be we could make an estimate, but suppose we want to put a mine in front of a harbor and it may not be——

Mr. SHERLEY. Except that the Engineer Department has nothing to do with that, I suggest to the gentleman, and it is limited to the Engineer Department. I have no objection, however, to striking out the words "and other works of defense."

Mr. MANN. I think the Engineer Department does have something to do with placing of mines.

Mr. SHERLEY. I think the gentleman is mistaken.

Mr. MANN. Well, I may be mistaken. It is not carried in this bill, but I think they do have something to do with the placing of mines.

Mr. SHERLEY. The work, so far as I know, is in the hands of the Artillery Corps, and not in the hands of the engineers.

Mr. MANN. Does not the gentleman think that the words "and other works of defense" should be stricken out?

Mr. SHERLEY. I have no objection, but I am quite sure the other provision will be a salutary one. I have no objection to striking out the words the gentleman desires.

Mr. MANN. Then I will withdraw the point of order.

Mr. FOWLER. Mr. Chairman, I did not withdraw my point of order against the paragraph.

The CHAIRMAN. Does the gentleman from Illinois make the point of order against the paragraph?

Mr. FOWLER. Mr. Chairman, I reserve the point of order and ask why "plans, specifications, and estimates" should not be stricken out?

Mr. SHERLEY. Because if we did that there would be nothing left to the provision.

Mr. FOWLER. What is the matter with the word "cost"? Do you leave the word "cost" in there?

Mr. SHERLEY. Yes. And that is just it; an estimated cost that is not based on a plan is not worth having. That is our trouble now.

Mr. FOWLER. The trouble with your provision in the bill is you leave the United States without any remedy in time of war.

Mr. SHERLEY. Oh, I think not.

Mr. FOWLER. There is no doubt about it in my mind.

Mr. SHERLEY. We just differ about that.

Mr. FOWLER. Well, I make the point of order against the paragraph.

Mr. SHERLEY. All right.

The CHAIRMAN. Does the gentleman desire to argue the point of order?

Mr. SHERLEY. It is subject to the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For tools, electrical and other supplies, and appliances, to be furnished by the Engineer Department, for the use of the troops for maintaining and operating searchlights and electric light and power plants at seacoast fortifications, $40,000.

Mr. MURDOCK. Mr. Chairman, I move to strike out the last word. In connection with the paragraph which has just gone out on the point of order I want to ask a question. I have read over the gentleman's report on this bill—a very admirable report—in which the gentleman has given on a technical subject detailed information in a way that is ordinarily not given in

reports on appropriation bills. It gives the history of the appropriation for the last 25 years, designates the officers under which these sums are disbursed, and in detail the items for which we appropriate. Now, I want to compliment the gentleman for his preparation of the report, because I think that too often gentlemen in charge of technical appropriation bills are too brief in their reports. In reading the report over and devoting a major portion of my attention to a history of recent appropriations I find this item enumerated in the report, namely, $1,043,000, on page 2 of the report, at the bottom of the page, which the report says is a return to the Treasury. Now, does that amount consist of a single item of appropriation returned for some cause, or is it an accumulation of many unexpended items?

Mr. SHERLEY. Without being able to answer with certainty, my impression is that there are quite a number of items which were covered back into the Treasury.

Mr. MURDOCK. Am I correct in this impression that several years ago in this department there accumulated in the Treasury a large sum of money which was available for these various boards?

Mr. SHERLEY. Last year, the gentleman may recall, in the bill we made quite a number of reappropriations. I have only had direct connection with the fortification bill for four or five years. Within that time there have been no very great sums. There have been at times sums running up maybe to $100,000 or more, but my predecessor, the gentleman from Iowa [Mr. Smith], was very zealous in reappropriating or covering into the Treasury unexpended balances that there was no reason for leaving to the disposal of the department.

Mr. MURDOCK. Does the gentleman remember whether he succeeded in covering back into the Treasury an amount of money, say, equaling four or five million dollars?

Mr. SHERLEY. I am informed by the clerk of the committee, whose memory runs back very much further than mine, that at one time they did discover a good many millions of dollars, but it was prior to my connection with the bill. Now, as to what happened in that connection I am not exactly clear, but I think it was reappropriated and used for the purposes of defense instead of new appropriations being made.

Mr. MURDOCK. As this department is now conducted and as appropriations are made for it by Congress, there is no such item of segregated funds?

Mr. SHERLEY. I want to assure the gentleman that this appropriation now is practically a current one. While the funds are available until expended, if the gentleman will go through the hearings he will find one of the questions always asked is as to the Treasury balance, the funds allotted and unexpended, and in every instance where we find any undue sum we use that for some other purpose; and where there seems to have been more money appropriated heretofore than was necessary we cut that particular appropriation, because the gentleman will appreciate a good many of these items are maintenance items instead of items for original construction. If there are any large sums loose, as I may say, I am not aware of it.

Mr. MURDOCK. In connection with the report, I see quite a detailed history of the Endicott Board and a supplemental board called the National Defense Board. Now, have the plans which these two boards in the past have outlined for the Nation been generally completed, or are we in the process of completing them as a Nation?

Mr. SHERLEY. The Endicott Board plans were so radically modified by the Taft Board plans, the National Defense Board, that they can practically be disregarded. I can say to the gentleman that, broadly speaking, we have carried out and followed very closely the Taft Board plans, but they are modified from time to time, as they should be, because of the experience gained in matters of armament and seacoast defense. The Taft Board plans in some instances were more elaborate, perhaps, than the needs of the country called for, and there are parts of those projects that will not be carried out. I believe the ultimate defense will cost, in some particulars, considerable less than was estimated in the Taft Board plans.

Mr. MURDOCK. I would like to ask the gentleman if it is his purpose to print the report of this committee on this bill in the RECORD.

Mr. SHERLEY. It had not been my purpose.

Mr. MURDOCK. I hope the gentleman will do it as a model for other committees having appropriation reports to make.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For the purchase, manufacture, and test of ammunition for mountain, field, and siege cannon, including the necessary experiments in connection therewith and the machinery necessary for its manufacture at the arsenals, $900,000.

Mr. FOWLER. Mr. Chairman, I move to strike out the last word. I desire to ask the chairman of the committee what is the necessity of increasing the amount $300,000 above the appropriation in the last bill? Is there any deficiency?

Mr. SHERLEY. In no particular are we so unprepared as in connection with ammunition for the mobile artillery, and the committee therefore felt that we should make a larger appropriation than heretofore so as to endeavor to supply some of the ammunition that we all felt was needed.

Mr. FOWLER. Is that for the purpose of giving the Government greater control over the manufacture of its own ammunition?

Mr. SHERLEY. The size of the appropriation has nothing to do with that one way or another.

Mr. FOWLER. It has not anything to do with that question?

Mr. SHERLEY. No.

Mr. FOWLER. Then what benefit does the Government derive from the increased appropriation?

Mr. SHERLEY. It gets more ammunition.

Mr. FOWLER. Manufactured by the Government?

Mr. SHERLEY. Most of it; but some of it is not.

Mr. FOWLER. Is any of it purchased from the Du Pont Co.?

Mr. SHERLEY. Heretofore we have been purchasing quite a considerable part of our powder from the Du Pont people. I will say to the gentleman that less than 10 per cent of this sum is used for powder whether manufactured by us or purchased.

Mr. FOWLER. What does this go for, then?

Mr. SHERLEY. For the projectiles, shells, caps, and all the other things that go to make ammunition.

Mr. FOWLER. Is there now greater necessity for increasing this appropriation for this purpose than there was in the last bill?

Mr. SHERLEY. Last year we were more liberal than we had been for some time past, and this year we felt that we could appropriate this sum; the committee thought this amount ought to be appropriated.

Mr. FOWLER. Were there any objections in the committee to the appropriation of that sum?

Mr. SHERLEY. The report of the committee was a unanimous report.

Mr. FOWLER. Then I will withdraw my objection.

The CHAIRMAN. The objection is withdrawn.

Mr. COX. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Indiana moves to strike out the last word.

Mr. COX. I desire to get some information. For some time I have been somewhat interested in the policy of the Government manufacturing its own ammunition and its own munitions of war, and in connection with the gentleman from Kansas [Mr. MURDOCK], I think the gentleman in charge of this bill should be complimented for the limitation upon the cost of powder. But that is not the point I wanted to bring out. I wanted to get a little information on a paragraph that has been passed—

For the purchase, manufacture, and test of mountain, field, and siege cannon—

And so forth. About how much of the cannon that is being made for fortification purposes is now being made and manufactured in the Government's own arsenals, if the chairman can give us some information upon that?

Mr. SHERLEY. That depends a good deal upon the character of the matériel. In some instances we are making a very large part; in others we are making very much less. I will say to the gentleman that at present we are using all the arsenals to the utmost of their available capacity. There is now pending before the subcommittee on the sundry civil appropriation bill in the Committee on Appropriations a proposal to expend some $250,000 in alterations at the Rock Island Arsenal, with the idea of their making more of this matériel, inasmuch as the amount of small arms to be manufactured will be very much less in the future than it has been heretofore, the reserve being pretty nearly supplied. As the result of that, if the appropriation should be made, we will in the future manufacture very much more of this matériel than heretofore.

Mr. COX. Now, I am asking information on the armament of the fortifications—the large guns. Does the gentleman mean to say that in the future we will manufacture more large cannon than we have manufactured in the past?

Mr. SHERLEY. If the gentleman will permit me, the paragraph that the gentleman refers to has nothing to do with seacoast cannon. It refers to the mobile Artillery. As to the seacoast cannon, we now manufacture our supply entirely.

Mr. COX. I am talking about the armament of fortifications that has been passed over.

Mr. SHERLEY. That was for the purchase, manufacture, and test of mountain, field, and siege cannon.

Mr. COX. Yes.

Mr. SHERLEY. Now, the mountain, field, and siege cannon are not the same kind of armament as seacoast cannon.

Mr. COX. Yes. That is an explanation that I had not heard before. Now, to what extent is this kind of cannon being manufactured in our arsenals?

Mr. SHERLEY. I can not answer that, for the reason I stated a few moments ago, that the cannon are of various caliber, from 3-inch up, and consist not only of the guns but the carriages and limbers and a good many other things in connection with the guns. As to some of them we have been making a larger quantity than others, but we are using to the utmost the capacity of the arsenals as they exist to-day.

Mr. COX. Are we making at our arsenals to-day any 12-inch or 14-inch guns?

Mr. SHERLEY. Yes; but that has nothing to do with this paragraph at all. That is seacoast cannon. The gentleman can carry the distinction in his mind in this way: The mobile artillery means what the words imply—something that is capable of being moved—and while they have used very much larger siege guns in some instances recently than heretofore, yet they must be movable in order to be mobile, within the meaning of the term "mobile artillery."

Mr. COX. I understand that. Now, will the gentleman allow me to call his attention to this language in the paragraph? I want to see what it means. Leaving out the first part of it, it reads:

Provided, That the Chief of Ordnance, United States Army, is hereby authorized to enter into contracts or otherwise incur obligations for the purposes above mentioned not to exceed $300,000, in addition to the appropriations herein and heretofore made.

How are those contracts let—on competitive bidding?

Mr. SHERLEY. Yes.

Mr. COX. Let out to various manufacturers?

Mr. SHERLEY. Yes. I will say to the gentleman that we have had very elaborate testimony touching this whole subject, which he will find in the hearings. In some instances the cost of our manufacture as against the cost of buying from private manufacturers was very much in favor of the Government. However, it is only fair to say that some of the recent contracts approach and in some cases go under the price that it has been costing the Government to manufacture itself. Whether that was due to the agitation by the committee and other Members or not is a question, though probably it is only fair to say that some of it has been due to the fact that the manufacturers, having gotten over the initial cost of making a new article, were enabled to effect economies that warranted them in bidding at a lower figure.

Mr. COX. Is it not fair to say that a large part of this reduction has been caused by the fact that the Government has engaged largely in the manufacture?

Mr. SHERLEY. I have no doubt in the world that in some instances we have been charged exorbitant prices for some of the things we have bought, and I want to assure the gentleman that the committee, within the limit of its power, has made searching inquiry and will continue to do so. What has been done in regard to powder should also be done as to a great many articles. What enabled us to work with some degree of accuracy in the powder matter was the fact that we could present known costs to the Government in comparison with the supposed cost to the private manufacturer. The gentleman will appreciate, however, the difficulty of determining cost. For instance we buy a certain quality of steel for the making of our guns. Now, for a committee to determine intelligently just what that steel ought to cost is a problem of no mean magnitude.

Mr. COX. I am satisfied that is true. Now, one further question, if the gentleman will permit me. Is it not the gentleman's observation and conclusion, based upon a thorough and exhaustive investigation, that ever since the Government embarked upon the plan of manufacturing powder or ammunition of any kind, or arms of any kind, from that moment down to the present time the tendency has been for the manufacturers of these same commodities to lower their prices to the Government?

Mr. SHERLEY. I could not say as to what the actual fact has always been, but that would be the natural tendency; and I want to say this to the gentleman: Here is my own idea of what ought to be the policy of the Government touching the manufacture or purchase of material for war purposes. I believe that in large measure it should make the most of such material, and I think the reason is entirely different from that which applies ordinarily to governmental manufacture or purchase.

The defense of the Nation, the life of the Nation, is so important that the Government can well afford to go into manufacture and not be dependent upon outside aid. In addition to that, usually the thing that is needed is something for which there is but one purchaser, the Government itself. Therefore unless it, by manufacture of its own, has some sort of whip over the outside manufacturer, it is liable to be held up in price. I would not be in favor of the Government manufacturing shoes for the soldiers, because shoes are things that are bought and sold in the open market, and concerning which the Government is at no disadvantage any more than any other purchaser; but in the making of things that it peculiarly and exclusively uses, I think it ought to do a large part of the manufacturing. Whether it ought to do all of it or not is a question. For instance, the Government in having some of its powder manufactured outside has had a basis of comparison by which we could determine whether we were efficiently manufactering it ourselves or not. It also had somewhat the advantage of having the inventive genius and skill of others as well as our own officers engaged in the work. It also might provide for an additional supply in case of great need in time of war. But, broadly speaking, I think we ought to manufacture very largely the things that we exclusively need for war purposes.

Mr. COX. Are we manufacturing as much as half our powder now that is used in the Army, or what proportion are we manufacturing?

Mr. SHERLEY. No; the Army and Navy plants together have been manufacturing, I think, about 40 per cent. That is my recollection.

Mr. COX. Can the gentleman give the committee any figures as to the per cent of small arms and cannon that the Government is manufacturing?

Mr. SHERLEY. We do not deal with small arms in this bill, and I would not undertake to give the gentleman complete information on that subject.

Mr. COX. Can the gentleman give us any information as to the other part of my question?

Mr. SHERLEY. As to seacoast cannon, we are manufacturing all of them. We do not make the steel. We buy the steel, but we actually make the cannon.

Mr. HAY. I will say to the gentleman that we manufacture all of our small arms.

Mr. COX. What does the gentleman think of the wisdom, or unwisdom, perhaps—and I am now asking for information, because I know the gentleman is thoroughly familiar with this matter—as to making appropriations large enough for the Government to go in and do this work and make its own material far enough ahead so that it may meet any ordinary emergency that may arise in time of war?

Mr. SHERLEY. I do not like to anticipate what my judgment may be touching an item that is before me in the sundry civil bill, but I am inclined to think that we ought with reasonable dispatch to give sufficient capacity to the arsenals to do the great proportion of the work. But the gentleman from Indiana will appreciate that some of the work we are doing now at arsenals will begin to grow rapidly less.

Mr. COX. Will it continue to grow rapidly less in the future?

Mr. SHERLEY. It will, as to that character of work, and that will give us available space for other kind of work. I am not prepared to say that we ought overnight to jump into building arsenals to undertake work. The gentleman from Indiana must understand that we have no monopoly of skill any more than any manufacturer has, and that if we undertake to do new work we will find it expensive, just as a manufacturer does in the first instance. If you undertake to throw us immediately into doing a great deal of new work you will find that there will be a great deal of waste of money.

Mr. COX. I think the gentleman is quite right, but in time does not the gentleman think we ought to do that?

Mr. SHERLEY. Yes; and I think in time that will be the policy of the Government.

The Clerk read as follows:

No part of any money appropriated by this act shall be expended for powder other than small-arms powder at a price in excess of 53 cents a pound.

Mr. HEALD. Mr. Chairman, I move to strike out the last word. If I may have the attention of the gentleman from Kentucky, I would like to ask his attention to the preceding paragraph as to the capacity of the arsenal referred to.

Mr. SHERLEY. About 9,000 pounds a day.

Mr. GOOD. Two million seven hundred thousand pounds, or nine thousand pounds a day?

Mr. SHERLEY. Yes; 9,000 pounds a day, or about 2,700,000 a year.

Mr. HEALD. The question I want to ask the gentleman from Kentucky is whether this refers to the theoretical capacity or the actual capacity of these arsenals?

Mr. SHERLEY. It says its full capacity, and I suppose its full capacity means its actual capacity.

Mr. HEALD. Does the gentleman realize that the theoretical capacity of these factories is an entirely different proposition from their actual capacity? It was shown in the hearings last year that in the manufacture of smokeless powder the actual output was but one-third of the theoretical capacity of the plant, and I understood that Admiral Twining, after these hearings, in a letter to the chairman of the Committee on Naval Affairs, stated that while the final output might be increased to three times the present output, that one part of the process of manufacture, and a necessary part of it, was running 24 hours a day, and, therefore, without increasing any part of the process, it would absolutely be impossible to increase its total output.

Mr. SHERLEY. As I understand it, the Navy is running its plant 24 hours a day and at its full capacity.

Mr. HEALD. Does that apply to every part of the process, or is one part running 24 hours and the other parts only 8 hours?

Mr. SHERLEY. I can not say, but I assume that it is used at its maximum—all of the plant. Whether that implies the lying idle for a few hours of certain parts of the plant I do not know, because that involves a knowledge of powder making that I do not possess. I think the term "full capacity" is one about which there need be no undue confusion of mind.

Mr. HEALD. If I may further suggest, my idea was to bring out this fact: That while it has been stated that these Government powder factories are running on one eight-hour shift, it may be that when we desire to operate these plants for three eight-hour shifts for the purpose of increasing the total output we may find that we are already working them to their full actual capacity. My impression from reading the statements made by Admiral Twining in the hearings before the Naval Committee last year was to the effect that the total output could not be increased without increasing some parts of the plants, and the committee has not provided in any place for their enlargement.

Mr. SHERLEY. The gentleman will realize that the provisions of this bill for the manufacture would carry with it the right to make certain expenditures in connection with the arsenal and in connection with the manufacture.

It may be that some one part of the plant needs to be increased in order to use other parts at their maximum capacity, and I assume that no mathematical accuracy can be had in determining the full capacity of a plant by simply multiplying the output of one shift of eight hours by three, but the actual tests would show full capacity and an approximate idea of full capacity ought not to be difficult.

The CHAIRMAN. The time of the gentleman from Delaware has expired.

Mr. HEALD. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HEALD. Mr. Chairman, some years ago, according to my recollection, there was an appropriation made for an increase of these plants, and while that has been done I have not observed that there has been an increase of their capacity. For that reason, I think the committee ought to know whether or not an increase in certain parts of the process of manufacture shall be enlarged so that the maximum efficiency of every part of the plant can be made available. There is one thing certain to my knowledge, and that is the power plants at these plants are largely in excess of the requirements of the other parts, although that is not the one to which I was particularly referring.

Mr. SHERLEY. Mr. Chairman, I suppose there will not be any need, in order to arrive at an output of one-half of the full capacity, to increase materially any part of the existing plant, and in connection with the Navy plant I find Admiral Twining before our committee made the following statement:

Mr. SHERLEY. Do you actually operate that plant at the maximum of its capacity?

Admiral TWINING. Yes. This represents substantially its maximum capacity. All of the processes that can be advantageously carried on continuously are carried on, except possibly on holidays, for 24 hours a day, while certain processes that can not be efficiently carried on that way because of the overloading of some other part of the plant are carried on 8 or 16 hours per day.

Mr. HEALD. Mr. Chairman, that practically covers the suggestion I was making, that the plant is probably not so balanced that the maximum of product can be secured from each part of the process.

Mr. SHERLEY. I have no information as to whether there is absolute accurate adjustment between every part, but as they are making it much under the price that we have been buying it for, it shows, at least, that we have been obtaining an efficiency that may be well commended.

Mr. HEALD. I only thought if we are going to secure the maximum efficiency from these plants that it is desirable that every part of the plant be made efficient.

Mr. SHERLEY. I have no doubt they have ample power to do that. Certainly a recommendation made by those in charge would receive careful consideration at our hands.

Mr. GOOD. Mr. Chairman, I move to strike out the last word. The adoption of this provision we are now considering and the paragraph we have just passed will result, in my opinion, in economy in the purchase of powder and ammunition. According to the reports, in 1911 there was purchased by the Army and Navy 3,950,000 pounds of powder, not including small-arms powder. There was a total of 4,436,680 pounds of powder purchased. In 1912 we purchased 2,448,000 pounds of powder. This powder was all purchased at a price of 60 cents per pound, except in the small-arms powder, which was purchased at a higher price. If the limitation, which we are placing on this bill, had prevailed in the appropriation bills of 1911 and 1912, we would have saved to the Government in 1911 in the purchase of powder $310,707.60, and in 1912 $151,360.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a question?

Mr. GOOD. Certainly.

Mr. MADDEN. The gentleman is talking about the purchase of powder now.

Mr. GOOD. Yes.

Mr. MADDEN. And the powder that is manufactured?

Mr. GOOD. No; I will reach that presently.

Mr. MADDEN. I would like to ask in this connection about the powder that the Government manufactures at this plant, where I think the gentleman stated it was only producing one-sixth of its maximum capacity, working one-third of its time.

Mr. GOOD. I did not say that.

Mr. MADDEN. I understood the gentleman did, not to-day.

Mr. GOOD. The plant, according to the statement of Gen. Crozier, has a maximum capacity of 9,000 pounds per day, or 2,700,000 pounds per year.

Mr. MADDEN. That is 24 hours per day?

Mr. GOOD. Twenty-four hours per day, and that plant is being worked only to one-sixth of its capacity.

Mr. MADDEN. How many hours a day?

Mr. GOOD. There is no statement made with reference to that. The plant last year produced somewhere between 400,000 and 500,000 pounds of powder.

Mr. MADDEN. The conclusions I reached from the statements which were made were based upon what I believe to be the fact, that eight hours a day was being employed in this particular powder factory and that during the eight hours' work only one-sixth of the maximum output was being produced, so that I was wondering, in estimating the total aggregate possibilities of the plant, whether the estimate was not more than double what the working capacity of the plant is.

Mr. GOOD. I would rather trust the statement of Gen. Crozier in regard to that than my own or any statement of any Member of the House, because I believe he has the detailed knowledge of the facts connected with that subject, which we do not have.

Mr. MURDOCK. Will the gentleman yield?

Mr. GOOD. I will.

Mr. MURDOCK. Why does not the Government work this Picatinny powder plant more than one-sixth of its capacity? What is the reason for it?

Mr. GOOD. It is on the theory that the Government ought to purchase of private factories a certain amount of powder for the purpose of enabling those factories to furnish powder in time of war.

Mr. MURDOCK. Now the Government can make the powder cheaper than a private concern?

Mr. GOOD. The Government can not make it any cheaper than a private concern. We do not know what it is costing to manufacture powder by a private concern. Col. Buckner was before the committee, and refused to state what it was actually costing the Du Pont factory to manufacture powder. We do know, in the Navy, where we produced 2,500,000 pounds of powder last year, that it cost, exclusive of overhead charges, 30½ cents per pound.

Mr. MURDOCK. Inclusive of overhead charges, how much?

Mr. GOOD. Inclusive of overhead charges, as computed by Admiral Twining, in the Navy, the cost was 40.74 cents per pound.

Mr. MURDOCK. Then this bill fixes a limitation of 53 upon the powder of the private manufacturer?

Mr. GOOD. Yes, sir.

Mr. MURDOCK. It would follow from the figures that the gentleman has given that the Government does make powder cheaper than the private manufacturer.

Mr. GOOD. It makes powder cheaper than the private manufacturer sells it, but we do not know what it is costing the private manufacturer to produce powder. Personally I believe that the private manufacturer is manufacturing this powder at not to exceed 25 cents per pound. If gentlemen will turn to the hearings and read the testimony of Admiral Twining, commencing on page 358, wherein he enumerates 10 or 12 different things wherein the Government is handicapped and private manufacturers are not handicapped, all of which add to the increased cost of powder, I think he will realize that this cost of 30½ cents could be materially reduced. In the cost of 40.74 cents is included interest on investment. This charge is 3 cents per pound. We have made two appropriations for the powder factory at Picatinny Arsenal, one of $165,000 and one of $175,000, or $340,000, exclusive of land and officers' quarters. The capacity of that plant is, generally speaking, according to Gen. Crozier's statement, 3,000,000 pounds. If you multiply that by 3 cents a pound, you have $90,000 a year as an interest charge on an investment of $340,000.

Mr. MURDOCK. Then I will ask the gentleman this: Is this payment which we make to the private manufacturer of powder in excess of what it costs the Government to manufacture powder in the nature of a subsidy by this Government to this single powder company to keep it in existence?

Mr. GOOD. Well, I do not know that I would say it is in the nature of a subsidy. I will say it is in the nature of a compromise between those who believe that the Government ought to manufacture all of its powder and those who believe that the private manufacture ought to be kept in operation, so that in time of war we would not find ourselves without powder.

Mr. MURDOCK. That defines, to my mind, a subsidy.

Mr. GOOD. I will say to the gentleman, personally, I would prefer to see that in matters of this kind——

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FOWLER and Mr. MADDEN rose.

Mr. GOOD. I yield to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. In making the figure of cost 40 cents, including overhead charges, was there anything calculated for the destruction of property, wear and tear, and renewal?

Mr. GOOD. Oh, yes; the depreciation is provided for. I will say to the gentleman that the estimate of depreciation is 10 per cent. The plant at Indian Head has been in operation for 10 years; the plant is practically in as good condition as when it was installed.

Mr. MADDEN. I notice no account is taken of the value of the land on which the plant is constructed.

Mr. GOOD. The estimate of $512,000 is the entire value of the Picatinny Arsenal, which includes not only the cost of the powder factory but also the value of the land and the cost of all officers' quarters that are situated on the land.

Mr. MADDEN. The gentleman did not state that a moment ago.

Mr. GOOD. But that is the case.

Now I yield to the gentleman from Illinois [Mr. FOWLER].

Mr. FOWLER. Does your estimate include loss by reason of the explosion of powder?

Mr. GOOD. The cost of insurance is placed by Admiral Twining in his statement, found on page 293, at 3 cents a pound.

Mr. FOWLER. That is intended to cover loss of that kind?

Mr. GOOD. Yes.

Mr. FOWLER. Now, I desire to inquire if the last bill did not limit the amount per pound to 71 cents?

Mr. GOOD. You mean a year ago?

Mr. FOWLER. Yes; the last bill that was passed through this House.

Mr. GOOD. The Army bill was passed a few days ago, and in that bill we limited the price of small-arms powder to 65 cents, if I recall correctly; but the cost of manufacturing small-arms powder, according to the testimony of all the witnesses, is about 10 cents a pound or more in excess of the cost of ordnance powder.

Mr. FOWLER. In the last fortification bill that was passed did you not limit the amount which might be paid for powder to 71 cents per pound?

Mr. GOOD. To 60 cents for cannon powder.

Mr. FOWLER. And small-arms powder was 71 cents?

Mr. GOOD. Seventy-one or seventy-two.

Mr. FOWLER. Now, can you tell the committee what was paid for small-arms powder prior to this limitation of a year ago?

Mr. GOOD. In 1908 the cost per pound was 84½ cents and 86.7 cents; in 1909 it was 78 cents; in 1910 it was 75 cents. It has been 75 cents ever since that time until 1912.

Mr. FOWLER. Have there been any changes made affecting the economics of the manufacture of powder during this time which would lower the price materially?

Mr. GOOD. No doubt there have been some changes. The report of Gen. Crozier shows a saving of 3 cents a pound in the Army, and the report of Admiral Twining shows a saving of 2 cents and a fraction in the Navy.

Mr. FOWLER. Does not that show the enormous profits which the powder companies have been receiving from the United States prior to the efforts of this committee to limit the price to be paid?

Mr. GOOD. I have no doubt but that the private manufacturers have made enormous profits.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. GOOD] has expired.

Mr. GOOD. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FOWLER. Do you not think the committee has done the country a great work by investigating the price of powder and undertaking to limit the amount which should be paid to other companies than that of the company manufacturing powder by United States authority?

Mr. GOOD. I think it has, and I think the probability is that we will make appropriation for increasing our present plants, and will discontinue the practice of furnishing to the Du Pont Powder Co. or any other powder company that private and secret information, and those discoveries that our officers in the Army and Navy have made in the betterment of these explosives, and turning them over to a private concern, which in turn manufactures powder and sells it to the different nations of the world.

Mr. CANNON. Why should we not, if the gentleman will allow me?

Mr. HEALD. Mr. Chairman——

The CHAIRMAN. To whom does the gentleman from Iowa yield?

Mr. GOOD. I will yield, first, to the gentleman from Illinois.

Mr. CANNON. Why should we discourage our own people, unless the Government goes into commerce in competition with the other nations of the world? Why should we follow a policy that would discourage our own people from adding to production that involves labor and contributes to the commerce of the world?

Mr. GOOD. I think that as a general principle we should not; but when it comes to powder, when it comes to any article that is used in warfare, it seems to me that after we have expended a great deal of money in educating officers in the Army and Navy to perfect a given device, that device should not be turned over to the very power with which we might come in actual contact.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent that my colleague from Iowa be given a minute more.

Mr. CANNON. The answer is plausible and possibly satisfactory. I am not criticizing the gentleman. I am asking the question from another standpoint.

The CHAIRMAN. The gentleman from Iowa [Mr. GREEN] asks unanimous consent that his colleague [Mr. GOOD] be allowed to proceed for one minute more. Is there objection?

There is no objection.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. GOOD. I yield.

Mr. GREEN of Iowa. Is it not a fact that all the other countries in the world keep the art and the special chemical formulæ for the making of explosives that they use in this ordnance powder secret, from the fact that it is controlled by their own subsidies?

Mr. GOOD. I do not know as to that. I know that France manufactures her own powder; not only her military powder, but she has a monopoly upon all powder. It is the purpose of the officers of the Army and Navy to keep our formulæ secret, but after submitting those formulæ to the powder manufacturers, the same manufacturers are now, according to the testimony of their officers, going to the different countries of the world soliciting trade. Of course, they could furnish to other nations the same powder that they are furnishing to us, made under the formulæ that are submitted by our Army and Navy officials.

Mr. GREEN of Iowa. And that constitutes the objection against imparting these formulæ?

Mr. GOOD. I think so.

Mr. HEALD. Mr. Chairman, I would like to ask the gentleman a question.

Mr. GOOD. Certainly.

Mr. HEALD. The gentleman suggests that the formulæ and the art of making powders and their development have been in the hands of Army and Navy officers, and have been turned over to private manufacturers of powder. Surely the gentleman does not mean that as a statement of fact.

Mr. GOOD. I mean to say that the first smokeless powder that was manufactured in this country was manufactured by an officer in the Navy under a formula that he himself had perfected, and, if I do not mistake the hearings, that formula was afterwards sold to the Du Pont Powder Works. I do not want to detract from the very efficient service that the Du Pont Powder Co. has rendered to the country in helping to perfect that formula and to produce a better grade of powder than this officer in the Navy had originally formulated.

Mr. HEALD. Will the gentleman give me a minute of time?

Mr. GOOD. The gentleman can get it. Now, Mr. Chairman, this provision will, in addition, provide for the manufacture by the Government of a million pounds of powder more than it manufactured last year. While we do not know exactly what it is costing the private manufacturer to manufacture powder, we do know that, exclusive of overhead charges, it is costing the Government only about 30 cents a pound to manufacture it. These overhead charges will go on whether the arsenal at Picatinny manufactures 400,000 pounds of powder or manufactures 1,400,000 pounds, as it will under the provisions of this bill. Therefore it is safe to say that the million pounds of powder that it will manufacture this year in excess of what it manufactured last year will cost the Government only 30 cents per pound, or it will result in a net saving of almost $300,000 to the Government; and the limit that we have placed on the price of powder will do no injury to the private manufacturer. It is still large enough to give the manufacturer an ample profit on his investment. While I think the price is still too large, I hope that these provisions placed in the bill with regard to powder will prevail and be adopted by the committee.

Mr. MANN. Will the gentleman yield for a question?

Mr. GOOD. Yes.

Mr. MANN. With reference to—

The operation of said powder factory to not less than one-half of the full capacity thereof.

If this powder factory should be operated one-half the days of the year to its full capacity, 24 hours a day, or for the entire year 12 hours a day at its full capacity, would not that comply with the provision contained in these words?

Mr. GOOD. I do not know.

Mr. MANN. Is it not patent on its face that it would? You are now putting up a construction of these words to officers of the United States, and I think they are entitled to have some opinion from the debate in Congress when the provision is being considered.

Mr. GOOD. This provision provides that the powder factory at Picatinny shall produce one-half of its maximum capacity——

Mr. MANN. Of its full capacity.

Mr. GOOD. Of its full capacity. Now, the matter is left entirely with the officer in charge of that factory whether he shall operate it under two shifts part of the time, part of the time under one shift, or part of the time under three shifts, and let it remain idle part of the time. Gen. Crozier says the maximum capacity is practically 3,000,000 pounds per year, and we say by this provision the Ordnance Department of the Army shall conduct that factory at one-half of its maximum capacity.

Mr. MANN. What he says about the maximum capacity may be one thing, but the question is, How much powder can they manufacture? That is getting down to brass tacks, as we say. If they run the factory at full capacity for one-half of the year, assuming that the seasons do not make any difference, would not that comply with the provisions of the bill?

Mr. GOOD. I think it would if they produced one-half of the full capacity of the plant.

Mr. MANN. Supposing they ran the plant the entire year, 24 hours a day, would that be obtaining the full capacity of the plant, regardless of what somebody said it ought to produce?

Mr. GOOD. If it produces 9,000 pounds for each day in the year.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. I ask unanimous consent that all debate on this paragraph close in five minutes.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that all debate on this paragraph close in five minutes. Is there objection?

Mr. HEALD. If I can have two minutes of that time I will not object.

The CHAIRMAN. The Chair hears no objection.

Mr. HEALD. Mr. Chairman, I can not, in fairness, let the gentleman's statement go as to the development of smokeless powder. As a matter of fact, the history of it has been recited on this floor many times, and it is to the effect that the Army and Navy officers did develop, in theory, a smokeless powder, and then called together the manufacturers of this country and laid before them the theory of its manufacture and asked them to bring about its commercial development. The commercial development of the manufacture of smokeless powder has never been at the hands of the Army or Navy. It has been wholly and entirely in the hands of private manufacturers. When the Government started to make it commercially, it was with the assistance of the experts from these companies, who gave to the Government all of their processes, and not the Government giving to the private manufacturers their discoveries or their improved processes. And further, the secret of the manufacture of these powders is not one that is kept from any manufacturer. There is no secret about it.

The manufacture of gunpowder in France is exclusively a Government monopoly, and in the light of the history of explosions of magazines on French vessels, I think there is reason to believe that this country has certainly a higher grade of powder than that which is produced by the French Government monopoly.

I for one do not believe in this Government exclusively manufacturing its own powder. The fact has been referred to on this floor that private manufacturers of smokeless powder in this country are beginning to sell their product to the governments of foreign countries. That may be deprecated. It has been. The question is asked, Why should the powder manufacturers of this country sell powder to foreign countries with whom we might engage in war? There is no difference between selling them powder than manufacturing for them the battleships which we are glad to build in our shipyards, and we never miss an opportunity to secure contracts for them. I believe that the sale of powder to foreign countries has been made with the concurrence and the consent of this Government and with the assistance of the War Department and the Navy Department and the State Department. It would not be rash to assume that this condition has been brought about so that these private factories may be held intact as a reserve for this country in time of war. That policy is one which Congress seems determined to destroy, and, in my opinion, if it abolishes it the result will be the same condition of Government monopoly that exists in France to-day.

The CHAIRMAN. The time of the gentleman from Delaware has expired.

Mr. GOOD. I ask unanimous consent that the gentleman may have one minute more in order that I may ask him a question.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the gentleman may have one minute more. Is there objection?

There was no objection.

Mr. GOOD. I want to call the gentleman's attention to the testimony of Admiral Twining, at the bottom of page 308 of the hearings, wherein he gives a history of the development of smokeless powder in this country, and he says:

The earliest knowledge I have in regard to smokeless powder of the type we are now using is that it was discovered by a French chemist named Vielle about 1882. The French Government began to use it in 1887 in small sizes, a powder which might be said to be in general the same as we are using to-day, although some minor differences or changes have been made in the manufacture. However, it was made according to much the same smokeless-powder formula that we use to-day. About 1893 the same kind of powder was used in Russia, and they probably discovered the secret in France. In 1896 one of our chemist in the service of the Navy, named Patterson, who is now the chemist in charge of the powder factory, discovered a method of producing soluble nitrocellulose of 12.5 nitration, which was higher than had been thought possible before. In 1897 the Navy began the

manufacture of smokeless powder at Newport, R. I., and manufactured about 1,000 pounds that year. I believe that some of that powder is still in existence and that it is good powder yet. Lieut. Bernadou and Capt. Converse, two naval officers, who had been prominently identified with ordnance matters, made a very extensive study of smokeless powder and took out certain patents. I believe that these patents are not valid to-day, and I do not think that any royalty has been paid in consequence of them.

Mr. HEALD. I suggest to the gentleman that the production of 1,000 pounds of powder in one year, or about 3 pounds per day, is not a commercial manufacture, and I think his reference supports what I have just said, that the theory of it had been worked by the officers of the service; but the department had brought together the commercial manufacturers of powder and asked them to make it a commercial success. They did make it a commercial success, and when this Government started to manufacture on a commercial basis these same manufacturers furnished freely, without expense to the Government, plans for processes and machinery. The Government did not supply the private manufacturers.

The Clerk read as follows:

For the alteration of 3.2-inch batteries to rapid-fire field batteries, including sights, implements, equipments, and the materials and machinery necessary for alteration and manufacture at the arsenals, $175,000.

Mr. FOWLER. Mr. Chairman, I move to strike out the last word. I do so for the purpose of asking the chairman why the appropriation in this paragraph is increased $100,000 above the appropriation in the last bill?

Mr. SHERLEY. There are quite a number of old 3.2-inch batteries which can be converted into modern 3-inch batteries at a cost very much less than it would require to create new batteries. As I stated a while ago, we are very far behind what we need in matériel for mobile artillery, and this is the cheapest way to get that matériel.

Mr. FOWLER. Are these rapid-fire guns worn out?

Mr. SHERLEY. No; but when made there was no successful method of recoil, and the rapid fire was much less than in the modern gun. It is now practically an antiquated gun. The development has been so rapid in connection with these guns that the 3.2-inch gun is now antiquated.

Mr. FOWLER. How many of these guns will be repaired?

Mr. SHERLEY. Four batteries.

Mr. FOWLER. Does the gentleman think it will take $100,000 to make the necessary changes?

Mr. SHERLEY. It was estimated that for the conversion of seven 3.2-inch batteries into 3-inch batteries it would take $250,000, and that was the amount of money asked. We have given $175,000, which, with the available balance, would make the conversion of the four batteries.

Mr. FOWLER. What would it cost to complete these batteries new? Has the gentleman any estimate on that?

Mr. SHERLEY. Yes; I have not it at hand, but I think it would cost $77,000 for a battery.

Mr. FOWLER. For the new battery or the converted one?

Mr. SHERLEY. For the new one, and about half as much to convert it.

Mr. FOWLER. Would the converted one be as good as the new one?

Mr. SHERLEY. Yes.

Mr. FOWLER. And would save just so much to the country?

Mr. SHERLEY. Yes.

Mr. HOBSON. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. HOBSON. I want to ask the gentleman as to whether the new tube they put in is necessitated through rapid erosion or whether the gentleman has any statement as to the cost of the change in caliber? I can understand about the uniformity of equipment.

Mr. SHERLEY. I do not think the change of caliber is due to any tendency toward erosion of the old gun any more than the new. It is simply that the 3.2-inch gun is considered to be of a caliber that has become practically obsolete, and they are making these to correspond, to be uniform with other 3-inch guns, ammunition for which would be useful for all, both the newly made and the converted type.

Mr. HOBSON. Mr. Chairman, I can understand the advantage of uniformity of ammunition, but with large batteries like these are you would have uniform ammunition anyway, I would say to the gentleman that I do not want to ask for information that was not given by the technical officers, but the question of the life of the guns, particularly in the Navy, is a mooted question, and is being carefully investigated, and I was wondering whether the change of this caliber to a smaller caliber, which would be done evidently by simply the introduction of a tube with its own rifling, has been necessitated largely by the fact that the old type that is there has suffered rapidly from erosion.

Mr. SHERLEY. I think not. I think a lot of these were not used enough to suffer at all, but a material change having to be made to modernize them in other ways, in the way of carriage and recoil, they also modernize them to the extent of making them uniform with the standard 3-inch guns.

Mr. HOBSON. And also whether the gentleman had before his committee the question of the length of the life of the Coast Artillery guns?

Mr. SHERLEY. Oh, yes; from time to time we have had testimony touching that, and the desirability of using larger caliber guns with less charge of powder, as against a smaller caliber with a greater charge. In other words, getting the same impact force by an increase in the size of the projectile rather than by an increase of the speed of the projectile.

Mr. HOBSON. Have they any information within the last year or two, recent information, throwing light on that question before the gentleman's committee?

Mr. SHERLEY. I do not think there has been any particular testimony. There does not seem to be much difference of opinion.

The Clerk read as follows:

ENGINEER DAPARTMENT.

For construction of seacoast batteries, as follows:
In the Hawaiian Islands, $70,000;
In the Philippine Islands, $700,000;
In all, $770,000.

Mr. FOWLER. Mr. Chairman, I move to strike out the paragraph. I desire to ask the chairman whether there have been appropriations for this same purpose of constructing seacoast batteries in the Hawaiian Islands heretofore; and if so, about how long has that been going on?

Mr. SHERLEY. Mr. Chairman, that work has been going on for a number of years. There have been expended there large sums heretofore.

Mr. FOWLER. They expended $170,000 there in the last appropriation.

Mr. SHERLEY. We have expended $2,980,000 and odd heretofore at Honolulu and Pearl Habor in connection with the fortifications there.

Mr. FOWLER. I see you cut the appropriation $100,000 this time below the appropriation of a year ago. Was that because of the fact that the appropriations which had already been made were sufficient to warrant the cutting off of that amount?

Mr. SHERLEY. A year ago they asked for $222,200, which it was estimated was sufficient to complete the work to be done there. We gave them $170,000, which should have left a difference of $52,200, as being the amount needed to entirely finish the work; but the estimate of the year before was based on an error of some thousands of dollars, the result being that there is now needed $70,000 to complete the emplacement work at the Hawaiian Islands.

Mr. FOWLER. Will this complete the seacoast-battery defense there, or will there be a requirement hereafter for additional appropriations for that purpose?

Mr. SHERLEY. There will be certain details that may have to be supplied, but, broadly speaking, the items carried in this bill, of which this is one, are sufficient to complete the entire project for the Hawaiian Islands.

Mr. FOWLER. In the Philippine Islands I discover that you are able to cut the appropriation there $100,000.

Mr. SHERLEY. Oh, we have cut the appropriation very much more than that. They are asking this year, in this one item, $1,000,000, and we are appropriating $700,000.

Mr. FOWLER. Last year your amount appropriated was $800,000.

Mr. SHERLEY. The amounts of appropriations are determined by the amount of money that can be expended during the period which the bill is supposed to cover. There are certain projects for the Hawaiian Islands and the Philippine Islands. The work is being prosecuted as rapidly as possible, and we ascertained at the hearings how much will be needed to continue that work until moneys from another bill will be available.

Mr. FOWLER. Will this $700,000 complete the project, or is it intended simply to provide for what is necessary until the next bill is prepared?

Mr. SHERLEY. It is to provide what is necessary until the next bill.

Mr. FOWLER. And what is the estimate for the completion of the items now under way?

Mr. SHERLEY. Well, under this item as of July 1, 1912, there was needed $1,000,000 for the construction of emplacements. We are carrying here $700,000, and, speaking generally,

I would say about $300,000 more money will be needed for the emplacement work there.

Mr. FOWLER. Unless we give the Philippine Islands their independence we will continue to appropriate something like that annually, will we?

Mr. SHERLEY. At the end of another appropriation of approximately $300,000 the amount of money necessary for emplacement work will be completed. Now, what the gentleman perhaps desires to know is the amount of money, in round figures, that is necessary to complete the project for the Philippine Islands, and as to that I have to say as of July 1, 1912, not having made the subtraction of the amount carried in this bill, there was needed for Manila Bay about $1,163,000, which, of course, does not include the proportionate part of the moneys necessary to be expended for ammunition and submarine mines, which perhaps could not be segregated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word. I simply desire half a minute to ask a question of the gentleman from Kentucky. We have a naval station in Cuba at Guantanamo, but no fortifications there, I understand?

Mr. SHERLEY. No.

Mr. GREEN of Iowa. There is no appropriation, I observe, in the bill for any fortifications there?

Mr. SHERLEY. And none asked.

Mr. GREEN of Iowa. That is just what I wanted to inquire.

Mr. SHERLEY. There is a project for Guantanamo which involves an expenditure of about $2,240,000, but so far there has not been presented to the committee any estimate for fortifications at that place.

Mr. GREEN of Iowa. I simply wanted to inquire whether the committee deemed it inadvisable or whether it was because of no recommendation.

Mr. SHERLEY. I might say to the gentleman and for the further benefit of the committee that as of date July 1, 1912, having in mind either the beginning and completion of fortifications or the completion of those already commenced at San Juan, Guantanamo, Honolulu, Pearl Harbor, Guam, Manila Bay, Subig Bay, and Kiska Island, there will be needed appropriations totaling eleven million one hundred and thirty-seven thousand and some odd dollars. That includes moneys for seacoast reserve ammunition, submarine mines, and carries all the items like emplacement, electric installation, searchlights, fire control, submarine mine structures, etc.

Mr. GREEN of Iowa. That fully answers the subject of my inquiry.

The CHAIRMAN. The pro forma amendment will be considered as withdrawn.

The Clerk read as follows:

For installation and replacement of electric light and power plants at the defenses of the following localities:
In the Hawaiian Islands, $34,469.

Mr. MANN. Mr. Chairman, I offer the pro forma amendment, and I hope I will not be considered hypercritical in a suggestion which I am about to make. These provisions of the bill are carried under the head in large capital letters, "Fortifications in insular possessions." The term "insular possessions" grew up from the War with Spain to describe certain territory which we had acquired apart from continental United States; but Hawaii is no longer an insular possession; it is a part of the United States, and really ought not to be described as an insular possession. It is true it is an island, but it is not a possession. It is a part of the United States. There is quite a distinction between Hawaii, a Territory, and Porto Rico and the Philippine Islands and the island of Guam. They are possessions. I did not know whether it is practical in the next fortifications bill to either leave out the heading "Fortifications in insular possessions" or segregate the Hawaiian items under the head of "Territory of Hawaii."

Mr. SHERLEY. Mr. Chairman, I think it may be perfectly proper in another bill to let the heading show "Fortifications in insular possessions and the Hawaiian Islands." The idea that actuated the committee, and which I think was a proper one, was to be enabled to give just some such information as I have tried to give a few minutes ago touching the moneys we are spending outside of continental United States.

Mr. MANN. I understand; but why not change that heading and make it correct?

Mr. SHERLEY. I see no reason why, but I am inclined to believe we will have practically cleaned up the Hawaiian Islands in this bill. We may have an occasional item next year.

Mr. MANN. I care nothing about it; but, of course, Hawaii stands on a different footing from all the rest of this territory now, because we have incorporated it into the Union and made it a Territory of the Union.

Mr. SHERLEY. I think the gentleman's suggestion is a proper one, and next year I think it should be carried out.

The Clerk completed the reading of the bill.

Mr. FOWLER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise and report the bill (H. R. 28186) to the House with the recommendation that the same do pass.

The motion was agreed to; and Mr. GARRETT having assumed the chair as Speaker pro tempore, Mr. RUSSELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 28186) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, and had directed him to report the same to the House with the recommendation that the bill do pass.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SHERLEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

THE LATE SENATOR TAYLOR.

Mr. SIMS. Mr. Speaker, I would like to ask unanimous consent to submit the order which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Tennessee submits an order which the Clerk will report.

The Clerk read as follows:

Ordered, That Sunday, February 23, 1913, be set apart for addresses on the life, character, and public services of Hon. ROBERT L. TAYLOR, late a Senator from the State of Tennessee.

The SPEAKER pro tempore. The question is on agreeing to the order.

The question was taken, and the order was agreed to.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. BURLESON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 28499) making appropriations to provide for the expenses of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, and pending action upon that motion I wish to inquire of the gentleman from Ohio [Mr. TAYLOR] if we can agree upon the length of time to be consumed in general debate on the bill?

Mr. TAYLOR of Ohio. I will say to the gentleman from Texas [Mr. BURLESON] that I have no applications for time. I am perfectly willing to go into the reading of the bill at once.

Mr. BURLESON. I will say to the gentleman from Ohio that I have one request for time. The gentleman from Indiana [Mr. CLINE] has asked me for 30 minutes, and with the permission of the gentleman from Ohio [Mr. TAYLOR] I suggest we allow the debate to run on and be limited to one hour.

The SPEAKER pro tempore. The gentleman from Texas [Mr. BURLESON] moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the District of Columbia appropriation bill, and in that connection asks unanimous consent that the general debate be limited to 1 hour, 45 minutes to be controlled by the gentleman from Texas [Mr. BURLESON] and 15 minutes by the gentleman from Ohio [Mr. TAYLOR]. Is there objection to the request for unanimous consent?

There was no objection.

The motion that the House resolve itself into the Committee of the Whole House on the state of the Union was agreed to.

CONTESTED-ELECTION CASE—KINNEY AGAINST DYER.

Mr. NELSON. Mr. Speaker, I ask unanimous consent that I may present a report from the Committee on Elections No. 2, and ask for its immediate consideration. (H. Res. 801, H. Rept. 1422.)

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the resolution.

The Clerk read as follows:

REPORT.

The Committee on Elections No. 2 has had under consideration the contested-election case of Thomas E. Kinney *v.* Hon. L. C. Dyer, from the twelfth district of Missouri, and begs leave to report as follows:
The allegations of fraud and intimidation made by contestant were not sustained by the evidence adduced.

Therefore we beg to submit the following resolution for adoption:
Resolved, That Hon. L. C. Dyer is entitled to his seat as a Representative of the twelfth congressional district of Missouri.

The SPEAKER pro tempore. Is there objection to the resolution proposed by the gentleman from Wisconsin [Mr. NELSON]?

Mr. FOSTER. Reserving the right to object, Mr. Speaker, I would like to inquire if this is a unanimous report?

Mr. NELSON. It is a unanimous report from the committee.

The SPEAKER pro tempore. The question is on the adoption of the resolution.

The resolution was agreed to.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The SPEAKER pro tempore. The motion of the gentleman from Texas [Mr. BURLESON] prevails. The House will resolve itself into Committee of the Whole House for the consideration of the District of Columbia appropriation bill, and the gentleman from Georgia [Mr. RODDENBERY] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 28499, the District of Columbia appropriation bill, with Mr. RODDENBERY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the District of Columbia appropriation bill, which the Clerk will report.

The Clerk read the title of the bill as follows:

A bill (H. R. 28499) making appropriations to provide for the expenses of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes.

Mr. BURLESON. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Texas [Mr. BURLESON] asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. BURLESON. Mr. Chairman, I yield 45 minutes to the gentleman from Indiana [Mr. CLINE].

The CHAIRMAN. The Chair understands that by order of the House general debate is to be limited to 1 hour, 45 minutes to be controlled by the gentleman from Texas [Mr. BURLESON], and 15 minutes to be controlled by the gentleman from Ohio [Mr. TAYLOR].

Mr. BURLESON. Yes. Mr. Chairman, I yield 45 minutes to the gentleman from Indiana [Mr. CLINE].

Mr. CLINE. Mr. Chairman, in the time allotted to me I desire to discuss the business and political interests of the American people in the Asiatic continent; and by so doing, invite the attention of the House and country to some problems that may well engross the public mind.

There are broad ethnological facts and social principles, elementary in the very existence of races and color, that ultimately shape the whole trend of national and race life. We can not change them; they have been recognized in all history, and will continue to remain fixed. All we can do, and what we should do, is to observe these well-intrenched facts and principles of race and color, and shape our destinies within the rules.

I pause here to pay a tribute, well deserved, to those wards of ours in the far-off Pacific—the inhabitants of the Philippines, of whom I shall have some things to say—our brown man of the Orient, whose ancestors for more than three centuries were more or less under Spanish dominion; who never ceased to struggle against both foreign and domestic oppression. At some time or other during this long period, laying in the pathway of the world's travel, they have been the prey of great nations of western Europe and eastern Asia. Plundered, robbed, and exploited, the products of their toil stolen by aliens, they have at last broken away from a dominant and blighting despotism, and seem to be coming into their own.

The venality of the conqueror sums up all the crimes of successful conquest. There is a mysterious element in human life that demands equality and resists crushing domination in the application of every system of government or economics, whether it be a highly developed system or not. Wherever development is greatest, there will the advocate of the former and the enemy of the latter be greatest. It is a law of progress that where climatic conditions and fertility of soil contribute most to the quick accumulation of wealth, there will civilization alike quicken and advance.

Representative government is the only sure guaranty of any character that personal liberty and personal rights will be protected. The wholesale intrusion of the individual into the political structure of a State government is an American idea of the construction of civil institutions. A strong centralization of power, either in the hands of an usurper or in the government itself, can not exist with our theory of popular government. A powerful executive, invading the constitutional rights and prerogatives of a coordinate branch of representative government and assuming to discharge its functions with a strong hand, can not exist in a true democracy. That the doctrine of the right to control a different people than that participating directly in the government, either by conquest or purchase, implies a government by force of arms can not be disputed, and that it is an European and not an American doctrine is also true. There never has been a conquest of territory except by force of arms, and that conquest rarely maintained except by a resident force of arms in the subjugated territory. Territorial conquests on this continent have ceased. The races of the world seem now to be fixed and settled; and just as each nation holds in high veneration its history, its policies, its life and liberty, so will the happiness of the nation thus committed to high ideals be secure. Rivers and mountain chains will not in the future constitute national boundary lines; it will be the blood that flows in the veins that will fix the habitation.

Some facts with reference to races and governments are as well settled as any principle in mathematics. Europe will never be overrun with the blacks of southern Asia, nor will the brown man or the yellow man burden the soil of this Republic, either as a citizen or as a subjugator of our personal liberties. The entire trend of thought has turned away from that of colonization and conquest to that of methods of government in which are vested and recognized the rights of the citizens composing the government. The civilization of the twentieth century is a thousand years distant in national and race tendencies from the days of Napoleon and George the Third.

There never was a time when the "national home" acquired such proportions of interest in the movement of affairs as it does to-day. Not only is this statement applicable to nations, but more so to races. Not only have they fixed their "dwelling grounds" but the great nations and distinctive races have, apparently, forecasted their future locations and boundaries for long periods of time. We, ourselves, have declared that this hemisphere shall be the home of the Aryan races—the home of the white man. We early declared it our purpose to dedicate this continent not only to the white race, but to that larger personal liberty that we espouse. On December 2, 1823, we announced that—

We owed it to candor and to the amicable relations existing between the United States and those foreign powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonial dependencies of any European power we have not interfered and shall not interfere. But with the governments that have declared their independence we have on great consideration and just principles acknowledged we could not view any interposition for the purpose of oppressing them or controlling in any way their destiny by any European power in any other light than as a manifestation of an unfriendly disposition against the United States. * * * It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness, nor can anyone believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is impossible, therefore, that we should behold such interposition with indifference.

In that declaration we builded better than we realized. We made it, as we supposed, for our own protection, but we made it in fact for the whole white race. We defined not only the limits of government, but the character of the government and the limits of color in national function that should inhabit this continent. The individual man has lost his personality in these world movements in races. Hereafter nations and races will be the unit of consideration and not the individual. One of the conditions that marks the difference between the white man and the colored races is that the white man has established a different plane of living, comporting with his different state of civilization than the colored races. He refuses to be content with clothing, food, and tendencies of those races; hence, the tendency to crowd the markets of the white man to sell his labor and the increasing force thereby adding to the antipathy of race prejudice, demanding of the constituted powers that those races with competing labor be eliminated from contact and competition, and that we maintain our standard of living and of race purity. So fixed and powerful is race prejudice that wherever inferior races appear to be gaining the ascendancy, the white man invokes the criminal statute to protect himself. In California the marriage of a white man or woman to a Mongolian or a negro constitutes a felony. I believe as much in the natural habitat of race distinction as I do in the distinguishing habits of the races themselves.

Through some unaccountable source we exercise control over and possession of the Philippine Islands, with more than 7,000,000 millions of people, two times as many as we had when we denounced England for our own subjugation—lands wholly populated by a race different from ours and more than 7,000 miles away, differing in religion and history, in color and

civilization, having nothing in common with us except the desire to manage their own affairs and govern themselves as we do ourselves. We have nothing in common with the Filipinos and never can have, because of race differences that are insurmountable. Projected into the character of the Filipino, that has become a constituent part of his nature and that of all Asiatic races through centuries of heredity, are differences of religion, civilization, and fundamentals in morals and government. These people are opposed to us in every essential of life, character, and personality; yield to us a suspicious obedience, view us with an increasing aversion, while we proclaim to them and to the world our belief in the essential principles of personal liberty. No great publicist has ever put our claim to subjugate the inhabitants of that archipelago upon any other basis than that of conquest, or that we are the trustee of a "manifest destiny."

Development of social life and government has a uniform basis. Mutual dependence is everywhere forced upon all classes. All have the same aspirations, the same intellectual aptitude, the same inclinations—the only difference is in degree—and all are the product of natural evolution. I may not hesitate to say that this national mobilization—this consolidation—of races, all arising out of a law of necessity and a desire not only for lighter burdens of government, but for no government at all by alien races, have introduced into world politics, in acute form, new and far-reaching problems.

These problems are not those to come at some future time; they are here now. The fast-breeding nations of India, China, northern Africa, and Japan, some of whom are now dominated by a handful of Europeans—these hundreds of millions, moved by the new spirit of this age, adjusting themselves with white men through the rising tide of commerce, with a mighty and successful struggle will throw off this restriction by foreign power and establish, I care not how crude it may be, a representative system of government by and for themselves. Let me amplify what I mean by very recent history of Japan. Half a century ago her commerce and taxes were controlled by a foreign power. She had no foreign relations, no navy, but a small army, and she stood in mortal fear of being swallowed up by China. In less than 25 years she has become an independent sovereign nation, whipped China, sliced off Korea and Formosa, and ranked herself as the seventh naval power in the world. She engaged in war with one of the most formidable Governments on earth, hurled her navy against the great war vessels of the Russians, sunk them like broken reeds, and sent 24,000 prisoners to Tokyo. She did more than that. She brought Russia to her knees in arbitration and divided Manchuria to herself, and then formed a defensive alliance with England, the greatest naval power in history. Do such great movements, that shifts power from continent to continent, mean nothing to us?

But the sun had hardly gone down on these achievements by Japan before the common people of China, restive under the dying embers of the Manchu dynasty, in one supreme effort established a national representative government, on which work we have officially, as a Nation, congratulated them, so that now two of the most powerful nations of eastern Asia, with more than four hundred millions of people, are competing with each other for the balance of power and for the liberation of the brown and yellow races. Who in this Chamber may not well assume that these marvelous transformations now proceeding, either China or Japan—probably Japan—may not for her protection attempt to guarantee like protection to all who may join her in the new régime? May we not soon hear the cry of "Asia for Asiatics," as we heard a century ago the cry of "America for Americans"? Japan, more than any other eastern power, has assimilated and improved upon many of our ideas, especially where mechanical skill is required. By her successes with Russia she put herself into the class of world powers with her sixty millions of people and turned into their highway on her march to her future destiny.

I yield to no man in unswerving loyalty to the scope of the Monroe doctrine, to which I have already invited your attention. It is as fixed and irrevocable as any tenet of our institutions, and the world recognizes that fact and our right to enforce it as one not subject to any national convention, review, or decision by any organized body.

I do not share, Mr. Speaker, in the jingo spirit manifested by certain statesmen relative to the occupancy of territory on this continent by the Japanese, either in Hawaii or in Magdalena Bay. Such hysteria, that periodically inflames the public mind, is as baseless as a dream. What possible excuse could Japan have to invade the Western Hemisphere, 6,000 miles from home, without a coaling or supply station? Does she need territory or commercial advantages? Suppose she desired to enter upon an era of conquest and attempted subjugation, what would it profit her? She has scattered lands and islands, from Manchuria on the north to Australia on the south, out of which to make empires and into which to spill her surplus population and build these dependencies out of her own or kindred races in her own zone and at her door. Is it possible that that strong commercial instinct that has marked the whole history of the Japanese might seize her? Why should she look westward for trade? We only take 9 per cent of her foreign trade and send her but 5 per cent, and that when she has within easy reach three-fifths of the population of the globe. What part are we to play, if any, in this marvelous transformation of races in the Eastern Hemisphere?

We have no announced future policy in the Philippines. The time is ripe in these evolutions to inquire, not only for our own safety but in justice to the residents of the Philippines, what our purpose is. One great political party, so long in power, refuses to answer the call of the brown man when he asks of this enlightened Christian Nation what the destinies of himself and his children are to be in his own land, now held from him by a strong, powerful Government. Have we strayed from our long-established national doctrine? Let me quote one sentence from John Stuart Mill:

> The government of a people by itself has a meaning and a reality, but such a thing as a government of one people by another does not and can not exist.

Around that principle have clustered all the race problems and political problems of government. We intrenched ourselves upon this same rock in our declaration:

> All men are created free and equal, and are endowed with certain inalienable rights, among which are life, liberty, and the pursuit of happiness.

On that theory are constructed al the States of this federation, and in it rests all our ambitions in the common struggle, with a common hope to a common destiny. Nearly a century after that proclamation, standing upon a field where was waged the mightiest conflict that ever convulsed the human race, where was sealed forever on this continent the covenant of human freedom, the immortal Lincoln said:

> Four score and seven years ago our fathers brought forth on this continent a new Nation, conceived in liberty and dedicated to the proposition that all men are created equal.

And concluded that memorable address with the words:

> And that a government of the people, by the people, and for the people shall not perish from the earth.

That declaration and what it stands for is as precious to us as the "altars of our religious faith." Have we strayed from our long-established national belief and practice? And are we ready to abandon in our relations with the Filipino the most solemn compact for the preservation of personal and popular liberty ever sealed by the force of arms or by the holy influence of peace? Are we to ape Great Britain, that marvelous sea power that within a century, by the virile hand of the Crown, "swung the pendulum" of British interests across a hemisphere into India, Australia, and Africa, and made the far-away Pacific the scene of her future battle grounds and conquests? Are we to go, too, at our election or be forced to go into these distant waters to enforce a wrong against a people who of right ought to be as free as we are, and would be but for us? We may crush and smother, in our attitude with the Philippines, the principles of personal liberty and representation temporarily that we have so successfully and so justly taught the world was supreme in the government of men, but if we do it will reincarnate itself again to our humiliation. The Boston Herald correctly states the position:

> The important thing for America to decide is not whether the retention of the Philippines will pay, whether it benefits them, or whether it ministers to our national pride, but whether it is right, for on no other foundation can any great national policy securely rest.

The hysteria of imperialism and territorial expansion in the Far East or anywhere else is dead beyond a resurrection. The problem now is not where we can get more territory and more alien races, but how can we honorably get rid of what we now have. There are only two possible courses for the Republic in its conduct with the Philippines—either statehood, to which every act of our occupation for 14 years has pointed, or the recognition of their independence properly safeguarded. Statehood is an unthinkable proposition—to put into the hands of an alien race, consisting of 7,000,000 people, the possibility of the balance of power for 100,000,000 American citizens, and thereby jeopardize our rights and liberties; to make possible a vote in the Philippines on a popular election by them to decide our entire domestic and foreign policy would be to invite the most astounding consequences imaginable. We forget that the fundamental principle in good government consists in assimilating the people as a unit on political institutions. On the administration of the Government of course another principle

obtains. Not only must we be a unit as to our political institutions, but on national character and society. The value of the Government to the individual consists in conceding political supremacy, in the recognition of political authority, and in assisting to maintain that authority established upon a strong constitutional basis as the organic law of the land to be unflinchingly adhered to until regularly changed. National character must have the very highest possible standard of right and justice, and society must contribute to a progressive civilization.

Let me observe, then, in connection with that statement, that if there is one well-established fact in history it is that color prejudice is fixed, and no creed, no form of government, will bind races radically different into a harmonious, homogenous whole. Some irrevocable law of the mind has fixed the prejudices of race and color as insurmountable barriers. Let me quote from Campbell's "Twentieth Century in Siam," "Nature has set up physical barriers that are not for man to break down, and Asia will always be Asiatic." I do not agree with my friend from Texas [Mr. SLAYDEN] that these prejudices are "because of color," as he asserts. Color can not account for failure in natural development and incapacity in some instances for self-government. Climatic conditions, environment, and inherited incapacity for a thousand generations distinguishes them in "creation's divine event." The brown man, the yellow man, and the black man, on the one hand, and the white man, on the other, have been separated always from each other by lines they never passed, and that independent of themselves. No more marked illustration of that fact exists than the association of the Spaniards with the Filipinos for 300 years. After that long period the races emerged from that contact practically free from the blood of each other, the Filipinos being more than 99 per cent pure in race and color. England has been in India for 150 years and administering a government over 300,000,000 of black men, and the gulf socially between them is wider and deeper than ever, and if England did not recognize this antagonism to exist, and that the time is coming when she will need Japan to protect her interests in India, why the alliance that now maintains? Antagonism of color and races will not permit an American or Europeans to be merged with an Asiatic. The chasm exists everywhere and is without fathom. I believe that those distinctions are as lasting as the races themselves, and no temporary government, no creed, no trade will eradicate it; hence the impossibility of unifying the brown man of the Philippines with the Anglo-Saxon of this Republic in our institutions, our morals, and in our civilization.

Mr. CAMPBELL. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Kansas?

Mr. CLINE. I will yield for a question.

Mr. CAMPBELL. If the gentleman is right in his theory, why wait for a period of eight years or six months to get rid of the Philippines?

Mr. CLINE. I will develop that proposition when I get a little further on.

Mr. CAMPBELL. Another question: Why may not people of different races or different nationalities live together under the same government, either a nation made up of a continent or a nation made up of a continent and outside islands?

Mr. CLINE. I have stated as clearly as I could my position on that question, but I will say to the gentleman from Kansas it is because of the inherited tendencies that lie in the very nature of the races that are antagonistic to the white man or the European.

Mr. COX. Put there by God, who created them.

Mr. CAMPBELL. We are living here in the United States, some 90,000,000 of us, many nationalities and different races, living apparently in harmony and having a very good Government.

Mr. CLINE. Oh, Mr. Chairman, the great melting pot of American civilization, I know, has unified the races that have come to this country and made them a harmonious and consistent unit, but the representation who came were from the white nations of Europe, and not from the Asiatics. [Applause.]

Mr. CAMPBELL. We have some millions of Africans in this country, living under the same Government with us. Why may we not have living with us some Asiatics, protected by the same flag?

Mr. CLINE. Does the gentleman presume that the citizenship of this Republic, demonstrating as it has its ability to successfully organize and maintain the greatest representative government that ever existed, will ever consent that the Negro, who was a "Helot in the day of Abraham" and will be a thousand years hence, because of the fixed limitation that his Maker has written into his being, who has not in the whole history of his race a philosopy, a science, a discovery, a religion, or a government to his credit, be permitted ever to assume the control or management of the government of the Anglo-Saxon race in this Republic? [Applause.]

Mr. CAMPBELL. I can not agree with the statement of the gentleman entirely.

Mr. CLINE. We have flattered ourselves that we assumed a "manifest destiny" when we subjugated the Philippines and took them and their lands over. That is, I suppose, the position taken by my friend from Kansas [Mr. CAMPBELL], and that was the justification of Mr. Froude in his work, "The English in the West Indies," when he used this language:

> We have another function such as the Romans had. The sections of men on this globe are unequally gifted. Some are strong and can govern themselves; some are weak and are the prey of foreign invaders or of internal anarchy; and freedom, which we all desire, is only attainable by weak nations when they are subject to the rule of others who are powerful and just. This was the duty that fell to the Latin nations 2,000 years ago. In these modern times it has fallen to us.

Mr. Froude should have anticipated to-day, when Premier Asquith has forced through the British House of Commons a constitutional government for Ireland, as some compensation for a century of cruel and unwarranted oppression. It ought not to be forgotten that the struggle of the Boers in South Africa was against English exploitation. A philosophy of that character, that has nothing to commend it but brute force, does not appeal to the intelligence of this age. A government of a people by another people does not and can not exist. Either the people govern themselves or they are governed by a supply government, administered from home, hated, scorned, because it invites men to dream of liberty that can not be realized and in its installation proclaims the inferiority of the subject and his inability to govern himself. Let me remark further, in connection with the statement from John Stuart Mill—

> that there is no alien community, either of race or color, but what is better satisfied with an inferior form of government administered by themselves than with a superior form of government administered by an alien.

Not only do we hold the Philippines against their will—and I digress long enough to say that it is a matter of common knowledge that American supremacy is not wanted in the islands by that people—but we have appropriated their lands by the thousands of acres and parceled them out to other aliens for personal benefit and exploitation.

The position of the Democratic Party, standing by its traditions and those of its founder, believing in the principles of personal liberty and in their fullest enjoyment by all people, regardless of color or location, refuses to indorse the policy of subjugation that the dominant party had inaugurated with such enthusiasm. It has made itself clear on the proposition in the last four national conventions. In 1900 the Democratic Party in national convention said:

> * * * We favor an immediate declaration of the Nation's purpose to give the Filipinos, first, a stable form of government; second, independence; and third, protection from outside interference such as has been given for nearly a century to the Republics of Central and South America.

In 1904 the Democratic Party in national convention duly assembled made another declaration on the Philippine problem, as follows:

> We insist that we ought to do for the Filipinos what we have done already for the Cubans, and it is our duty to make the promise now and upon suitable guaranties of protection to citizens of our own and other countries resident there at the time of our withdrawal, set the Filipino people on their feet, free and independent to work out their own destiny.

In 1908 the party, still expressing the sentiment of the great body of the American people on this same question, said:

> We favor an immediate declaration of the Nation's purpose to recognize the independence of the Philippine Islands as soon as a stable government can be established, such independence to be guaranteed by us as we guarantee the independence of Cuba, until the neutralization of the islands can be secured by treaty with other powers.

In the recent Baltimore convention we said:

> We favor an immediate declaration of the Nation's purpose to recognize the independence of the Philippine Islands as soon as a stable government can be established, such independence to be guaranteed by us till the neutralization of the islands can be secured by treaty with other powers.

The Democratic Party, having made those declarations in the several national conventions, is only doing its duty when it comes into power to say officially what it did in its national councils. So believing, I introduced on June 16, 1911, in this Congress, the following House joint resolution:

> To authorize the President of the United States to take measures for the delivery of possession, control, and government of the Philippine Islands to the Filipino people, and to promote their future independence by treaties of neutrality.
>
> *Resolved, etc.*, That it is the purpose of the United States to withdraw sovereignty over the Philippine Islands and to permit the Filipino people to establish for themselves an independent representative government, such withdrawal of sovereignty to be completed in July, 1920.

SEC. 2. (a) That in pursuance of the execution of such declared purpose on the part of the United States, and to aid and assist the Filipino people to assume such independent government, they shall be permitted to elect the upper branch of the Philippine Legislature, now known as the Philippine Commission, at the first general election after January 1, 1913.

(b) That after January 1, 1917, the Filipino people may assemble in delegate convention to ordain a constitution for the permanent government of the islands, which, when so ordained, shall be submitted to the President and Congress of the United States for approval.

(c) That said constitution shall contain an educational qualification for suffrage, providing that the right of suffrage shall be limited to those who can read and write some recognized language.

(d) That the executive power of the government of the Philippines shall reside in and be exercised by the United States as fully in all respects as at present until the date of evacuation.

(e) That from now until the final withdrawal of its sovereignty the United States will conserve for the Filipino people the natural resources of the islands, including lands, minerals, timber, and water power.

(f) That at the time of the withdrawal of the United States from the occupancy of the islands the President of the United States may reserve such coaling and naval supply stations, and the right to defend them, as in his judgment may seem proper.

SEC. 3. That pending the creation of such independent form of government by the Filipinos and in the promotion thereof the President of the United States is enjoined to consider the practicability of securing a treaty among the principal powers of the world to assure the complete neutrality and independence of the Philippine Islands and favored trade relations between the Philippine Islands and the signatory powers.

SEC. 4. That the policy herein declared is subject to modification in the event that pending the arrival of the time herein fixed for the withdrawal of sovereignty from the Philippine Islands the Filipino people shall engage in armed revolt or insurrection against the authority of the United States.

Following the introduction of the resolution other gentlemen introduced similar resolutions that undoubtedly have been of service to the committee in formulating the present bill under consideration and which has my unqualified support.

While I believe the Filipinos are to-day capable of self-government, as I shall hereafter attempt to establish, I also believe under the great considerations of life and treasure that we have expended in their welfare that we should doubly safeguard a home government for them, establishing beyond question all these necessary elements upon which to build the superstructure. They should be gradually led up to the point of unquestioned efficiency. The bill provides that they shall be permitted to elect the upper house of their legislature. We provide in a constitution that it should contain a qualification for suffrage, and that the constitution should be approved by the President and the Congress of the United States; that during all this period up to 1921 the National Government should retain all the executive powers in the islands, and on our removal therefrom retain sufficient ground for a coaling and supply station. We ought to do another thing to establish and maintain the confidence of the Filipino people in ourselves during this period, and that is that we should maintain their natural resources—mineral, timber, water-power sites, and their vacant lands—and that they should not be exploited by promoters of home corporations. That to guarantee and protect their interest in this new-born civic relation to the Governments of the world we should urge upon the President the necessity of negotiating neutrality with these great powers for their safety. We provide further in this bill reported by the committee that if there should be any armed revolt against our Government during the period between now and 1921 that our proposition would be subject to modification. It is the purpose of the bill to throw about the Filipino all the environments that this great Government could, so that they would focus their entire effort in preparing themselves to assume the discharge of those functions that belong to a free people.

Before proceeding further with this discussion, I call attention to a short series of unsupported statements filed by the minority members of the Committee on Insular Affairs against this bill and denominated "Views of the minority."

As an exhibition of duplicity of statement and unsteady English it merits consideration. The views are opened by this statement:

The inhabitants of the Philippine Islands do not constitute a homogeneous people.

In answer to that I quote from volume 2, page 44, Philippine Census of 1903. That shows that less than one-tenth of 1 per cent of the inhabitants of the islands are mixed either in blood or color. The same authority, page 9, states:

As compared with the Twelfth Census of the United States these of the Philippine Census—

Referring to tables—

are somewhat simpler, the difference being due to the more homogeneous character of the population of the Philippine Islands.

The second unsupported statement in the "views" is as follows:

They are composed of many different tribes, some styled civilized and some admittedly wholly wild. There are some 15 or 20 different languages or dialects. In many instances those who speak one dialect can not speak or understand any other. Only about 10 per cent of all the people can read or write in any language or dialect, and less than 3 per cent have what we would call a common-school education.

To completely refute such gross misstatements, I quote from volume 2, Census of 1903—10 years ago—page 90:

Out of a total population 10 years of age and over 20 per cent can read or write or both, and of the males of voting population 31.4 per cent can read and write.

These people received their education before the date of American occupation. What would be the percentage now, 10 years after the complete establishment of a school system and after it is now estimated that millions of children, young men, and women of the Philippines have entered upon a course of education? And at this point I desire to call attention to a paragraph in the message of the Acting Governor General to the Third Philippine Legislature, dated at Manila, October 16, 1912, as follows. I quote from page 4:

A general educational system was inaugurated in the beginning. More than half a million students are attending school as these lines are written. For several years the average has been nearly as great, so that we can say that between three and four million students have had greater or less advantages in the public schools of the Philippine Islands. Many private schools are also serving the people. Each year adds to the number of mature age who have received some school training.

And your attention is invited especially to the following statement in the same connection:

In these modern days every civilized country is developing in democracy. Whatever form that this government may assume, it must be based upon the democratic idea of a government by the people. It is not enough that a few people shall be educated in high schools or universities, but all should have sufficient general education to enable them to take an intelligent place in the electorate.

To return again to the proposition, I now quote from the Census of 1903, page 78, that shows that of the Philippine population 10 years of age and over, there were 2,211,433 who could read or write, or 44.5 per cent of the population. That was a decade ago. I also quote from the director of education, eleventh annual report, to show that there are 50,140 persons who have received advanced education in the colleges and universities and private schools of the island. So eager are the inhabitants of the Philippines for the benefits that flow from a common-school education that in the island of Luzon alone there were 4,000 children that were denied educational advantages because there were neither teachers nor school room. Fifty per cent of the graduates from the high schools of the island go into the universities. The University of the Philippines, opened only three years ago, has more than 1,200 students registered. Even in the Moro Provinces there are 142 schools and 195 Christian Filipino teachers, which the "views" tell us are the deadly foes of the Moros, and these teachers are educating more than 5,000 children, and some from these Provinces are now pursuing courses of study in the university.

I quote again from the Philippine census—volume 2, page 75—showing that even in the most uncivilized section 13 per cent of the people either read or write their own dialect, and this was 10 years ago. I submit that the statement made in the "Views of the minority" is not supported by to-day's conditions. Such statements are an injustice to the Filipinos, for whom these gentlemen profess such deep solicitation.

Another statement that will bear a little scrutiny is the one in which a defense is made for American occupation in that the islands afford us a great market for our foreign trade. I quote from the minority report, page 5, as follows:

On the other hand, the largely increased markets afforded by the Philippines for the products of our farms and our factories is of a great deal of value to us.

I presume if they are of value to us it is because their markets yield us a profit. Let us see what the trade with the Philippines was last year. We received in imports from the islands last year $21,517,777. We sold to the Philippines $20,096,522. It cost us, at a very conservative estimate, $40,000,000 to administer our theory of "benevolent assimilation." If we had all the trade, both exports and imports, given us we would still be nominally only even with the game. Such palpable mistatements do discredit to the high character of the man who makes them. Gentleman assert that the proponents of this bill want to set the Philippines adrift, subject them to the prey of other nations as a prize for warlike ambitions. If the Governments of the earth are so anxious to grab the Philippines why have they not seized Siam, that independent Government of 6,000,000 people, lying between the French and English possessions in southern Asia? Siam has maintained an independent sovereignty under its present dynasty for a longer period than this Republic has stood—a nation without a navy, without an army, and 70 per cent of its people

illiterate. The concluding statement of the "views" is as follows:

It would be a cowardly shrinking of duty, a disgrace to the American people, and an injury to the Filipinos to give them self-government before they are fitted for it.

No one disputes the truth of that statement. It is a more cowardly shrinking from a sacred duty, a deeper disgrace for the American people under our declaration of inalienable rights, and a greater injury to refuse to give the Filipinos self-government when they are fitted for it. The question turns upon the proposition, Are they qualified for self-government?

I shall digress here for a moment's treatment of the criticism administered to the Democratic Party by the present administration. The President, for whom I have the highest personal regard, has invoked every opportunity, not only in public addresses but in a message to Congress, vehemently attacking the Democratic Party in its proposed redemption of its platform pledges. He assumes a monopoly of information and opinion on the Philippine problem and expresses his disgust if they are questioned. The President's opinion, which has been given all the currency that the press could afford him, does not express the views of the people. Neither the President nor his party has ever given in a concrete statement its attitude on the Philippine problem or informed that struggling people what may be expected from them. I quote the following as the last declaration of the party on this subject, made at the Chicago convention, in 1912:

The Philippine policy of the Republican Party has been and is inspired by the belief that our duty toward the Filipino people is a national obligation which should remain entirely free from partisan politics.

A more studious attempt to avoid the whole question could hardly have been made. Since it has become a certainty that the Democratic Party would be returned to power every possible agency that could be invoked—political, commercial, or otherwise—has been drafted to create public sentiment in the minds of the people and to induce the Democratic Party to abandon its platform declarations. A cabal of interests involving many persons in the civil service in the Philippines has joined the administration in its efforts to prevent legislation and to continue in power the present "domination of an oligarchical and probably exploiting minority" in the archipelago. The press has been filled with letters from people connected with the administration in the Philippines that a mere cursory examination will disclose are the product of concerted design. None of these letters give any credit to the Filipino people for their successes in attempting to patriotically and honestly advance the material interests of the country. No credit is given the men and women scattered everywhere throughout the islands, fired by a patriotic devotion for the permanent and social uplift of the people. All credit is taken by the administration, and after a complete exposition of the Moro Provinces, in which all the discreditable conditions imaginable are charged to the entire Filipino people, these letters express the deep solicitude that the Filipinos shall be given their independence "when they are fitted for it." The Democratic Party will not hinge its actions in legislating for eight millions of people upon press reports inspired by personal and private interests. An administration that has not been free from scandal, even in the Philippines—that was rebuked by the people in November as no administration in the history of the country has been; that succeeded by its course and conduct in sending a great political party to the scrap heap—ought to manifest some modesty in insisting that its foreign policy should be imitated by its successor.

But to return to the question of qualification for self-government, I submit the statement made by Dr. Schurman, president of Cornell University, made 10 years ago, when he was a member of the first Philippine Commission. If he could make such a statement 10 years ago, what could he say now, after the advancement the inhabitants have made? Dr. Schurman said:

But whatever may be done with the Mohammedans, the civilized and Christianized democracy of Luzon and the Visayans desire independence. They are fairly entitled to it, and, united as they are now, I think they might very soon be intrusted with it. In their educated men, as thorough gentlemen as one meets in Europe or America, this democracy of 6,500,000 Christians has its foreordained leaders.

I invite your attention to the ability demonstrated by the members of the Philippine Assembly. There are some opportunities that we have extended to the Filipinos, which they have eagerly embraced, that constitutes an impeachment of the statement made by the friends of subjugation that the Philipinos were incapable of self-government. In 1905 we passed an act that established what is known as the Philippine Assembly. It provided, among other things, that within two years after there should be a census taken of the inhabitants of the islands, and that a general election should be held to elect from each of the several districts a representative in the assembly.

The bill provided that there should not be more than 100 or less than 50 districts, and the representation should be fixed according to the completion of the census, and, the necessary steps taken, the islands constituting the Philippines were divided for legislative purposes into 80 districts, and the representation fixed at 90,000 for each representative. The Legislature of the Philippines consists of the assembly and the Philippine Commission, the commission conforming to our Senate, made up of nine members appointed by the President of the United States, five of whom are Americans and four Filipinos. The Congress of the United States was organized under our Constitution for 60 years before a Representative in this body represented 90,000 inhabitants. We were organized on a basis of 30,000 to each Representative, only one-third of what the Filipino was supposed to be able to represent. We made no mistake in the Philippine representation, either, for the reason that the assembly has shown itself to be able and patriotic in the discharge of its duty and has a creditable place with other great legislative bodies. We thought so well of the Filipino as to his ability to govern himself and his country that we gave him concurrent jurisdiction with the commission in all matters of legislation, except for the non-Christian tribes. We organized the assembly along the same lines that the House of Representatives is organized. It has the right to initiate all bills for the raising of revenue. One of the first acts of the Philippine Assembly was to take from the speaker the right to be a member of the rules committee—a reform that we made after they had set the example for us. It has been widely proclaimed by the friends of this "benevolent assimilation" that there was no national sentiment among the Filipinos, and consequently no desire for self-government. Out of the 80 representatives to the assembly 64 were elected upon the issue of immediate independence and the other 16 were for independence after better developed conditions. As a further evidence of a prevailing national spirit, I quote from a recent article in the American Political Science Monthly, written by James Alexander Robertson, librarian of the Philippine Library, a keen observer of events, and not in harmony with the idea of independence. This article was written as a review of the first regular and special session in 1909, and is found in the November, 1910, issue. It reads:

The delegates, although elected to represent a certain district locally, are keenly alive to the fact that they represent all the Philippines and must obtain the best good for the whole country.

And again in the same article:

If the leaders proceed with the wisdom that Rizal had, it is not too much to say that the Philippine Assembly will have permanently an honored place among the deliberative assemblies of the world.

How could the Philippine Assembly be entitled to such a coveted place among the legislative bodies of the world if it had not displayed the patriotism, ability, and public conscience based upon a national policy to merit such consideration? Congress placed in the hands of the assembly the power to originate every line of expenditure in the islands except as indicated.

The conduct of the members of the assembly has met the expectations of the friends of self-government. In the second election of members of the assembly, out of the 81 districts there were 66 members elected who favored immediate independence and 15 who were in favor of deferred independence. Out of the 19 reelections all but 2 were for immediate independence. In the election for governors of the municipalities two years ago the parties divided equally for the 30 cities. At the recent election there were 23 governors elected that favored independence at once and 9 who were in favor of independence deferred, and yet we are told that there is no national spirit in the Philippines. It has been widely published that the small vote cast for the assembly is another evidence of no national spirit. What are the restrictions imposed on suffrage in the Philippines? No man can vote unless he is 23 years of age, owns $250 worth of property, or pays $15 taxes, speaks and writes either Spanish or English, or was an officer above a certain rank in the late Spanish régime. (Act 1582, U. S. P. C., sec. 13.) Had you submitted that kind of a test to the whites and blacks in the South after the war what kind of a vote would you have gotten? If you make that the test of a right to vote in the great cities of this country to-day, what will be the vote? One of the very strongest tests of the ability of the Filipino for self-government is that he holds more than 95 per cent of the offices from judge of the supreme court down through all the clerical positions and discharges his duties with fidelity and ability. They are intrusted with positions of trust and confidence, occupy positions of great responsibility with perfect safety to the service.

What is the test you propose to put the Filipinos to to determine whether they are capable of self-government? Is it to

be the character of the work you give him to do, or the manner in which he does it? These are some of the subjects you have committed to his charge and permitted him to appropriate money from the public treasury for construction of highways and bridges, sanitary systems for the cities, river and harbor improvements, educational system for the islands, the establishment of a bureau of labor and a bureau of agriculture, and the establishment of colleges to promote agriculture, irrigation of the islands, the organization of a constabulary for police purposes and protection. On all these subjects he has legislated to the entire satisfaction of the people, and they have indorsed the action of their legislative officers by returning most of them to their positions. On their action, Mr. Robinson, in the article above referred to, they are complimented as patriotic and deserving of recognition among the great legislative bodies of the world. Not only has there been no complaint or criticism of the assembly but no hint even has come from the Government of the commission of any intent to seek the repeal of the law organizing the assembly.

I want to call your attention to the administration of justice in the islands as an indication of the ability of the people to take care of their own interests. These judicial positions are filled with Filipinos of high character, and their work has received the highest commendation for ability and careful and quick dispatch of the business intrusted to them. Every municipality has its local self-government, presided over by native citizens, and the business is transacted in an entirely satisfactory manner.

I call your attention to what Hamilton M. Wright, in his Handbook of the Philippines, says of the morality of the Filipinos:

> There are no more devoted people than the people of the Philippines. Religious worship obtains among all classes. A place of worship is an essential to the life of the people. In every Filipino community, no matter how humble it may be, is to be found a place of worship.

The Filipinos are the only Christian nation in the Eastern Hemisphere. For intelligence and patriotism they are not to be compared to any other Asiatic race. Heathen China has been able to establish a republic and receive congratulation from the great nations of the world in an effort to establish an independent republic, based largely upon the American Constitution in its structure. Does anyone want to put the Chinese under a system of benevolent assimilation to ascertain whether they are capable of self-government? No one has advanced any such proposition.

Another evidence of the capabilities of the Filipino is demonstrated in the progress made in the public schools since American occupation. As far back as 1867 there were 1,674 public schools in the islands, and this number had increased in 1898 to 2,146. The interest in the cause of education is shown by the fact that as soon as the Filipino people were able to wrest their government from Spanish domination they established a system of education, and made the attendance compulsory. As soon as the United States took control of the Philippines a system of education was inaugurated, and in 1903 the enrollment of the Filipino pupils reached 182,202, which in the year 1910 had reached the number of 610,493, and the number of teachers had increased to 9,176, of whom 8,493 were Filipinos. The advancement which the Filipinos have made is well illustrated by the following quotation from the message of the Governor General to the Philippine Legislature, under date of December 16, 1912. I quote from page 2:

> Not in Manila alone, but throughout the archipelago may be found earnest and able men devoted to the cause of the people and fired with the highest ambition for the material uplift of those about them. No wonder, then, that with limited revenues and conditions untoward in many respects the result of their labors and ambitions are marked to-day by a condition of well being and opportunity heretofore unknown in the Philippine Islands.

This general education will only increase the problem for this Government. Since 1903, according to the authority I have just quoted, we have had more than 4,000,000 of the inhabitants from the Philippines in the public schools of the islands. By 1921, if this progress continues, the dissemination of knowledge and the growth of their material interests continue, what will this mighty leverage do for the Filipino people? The spread of general intelligence of this age is not in harmony with the theory that the Filipino will remain the ward of the Republic. Let me speak plainly. If we shall have made progress correspondingly in the islands from now until 1921 that we have since 1903, and after being under our sovereignty for nearly a quarter of a century, equipped in every way to govern themselves, is it too much for us to expect that if we refuse them that demand for independent sovereignty that they will not ally themselves with some other power that will give it to them? The highest evidence of competency will arise out of a splendid school system, a religious devotion, a high morality, all of which are inconsistent in this age with national dependency and race servitude to an alien power.

We ought to get out of the islands as a matter of political expediency, barring our immoral right to hold the islands and the injustice of maintaining our supremacy. I want to invite the attention of the House to the cost to us of assimilating the brown man of the "Gem of the Orient" with the white man of this Christian Nation. The immense treasure we have expended and shall continue to spend staggers the comprehension. Our first two years' war wih Spain and the occupation of the Philippines cost the Government the sum of $691,521,723.03. This is the compilation shown by the clerks of the Committee on Appropriations in the House and Senate.

Mr. SHERWOOD. Does that include the $200,000,000 of bonds issued?

Mr. CLINE. It does.

Mr. SHERWOOD. It is exclusive of that?

Mr. CLINE. I think not. Our appropriations for the Army in 1899, made of course before the declaration of war in 1898, was $23,193,392, and the next year it leaped to $80,430,206.06. The next year to $93,374,755.97, an increase of seventy millions in two years for the Army, four times as much as we paid for the Alaska and Louisiana Purchase, out of the latter of which we have carved some of the great States of this federation.

The appropriation for the Navy for 1898 was $33,003,234.68. It jumped to $56,098,783.68 the next year, an increase of more than twenty-three millions. It continued to increase until in 1910 it was $136,935,199.05, an increase of more than 400 per cent over the appropriations of 14 years ago. This year the appropriation is $126,478,338.24. We have appropriated a thousand millions more for the Navy alone since we entered upon this beautiful theory of benevolent assimilation in 14 years than we did the previous 14 years. It has been estimated by those who are in a position to know that the maintenance of the Army and necessary Navy in the Philippines costs us $40,000,000 a year and that the cost to the American people in this project of territorial acquisition has cost us in the 14 years more than a thousand millions of dollars, and by 1921 we shall have added to that immense amount drawn from the savings of the people in the experiment of territorial expansion, four hundred millions more, an absolute loss of that vast sum of money unless we count the investment as a benevolence to the Filipino. And that is not the most serious aspect. I quote from a speech made by the late Senator Hale in reporting the naval appropriation bill made March 3, 1904, carrying more than ninety-seven millions. He said:

> If we ever get into war, no matter with whom, the first thing we will have to do will be to spend hundreds of millions of dollars to protect the Philippines.

But that is not the whole cost to us. Since our expansion program was instituted we have pensioned more than 25,000 soldiers; there are now on the rolls 23,382, as many pensioners on the rolls charged to the Philippine service as there were soldiers in the whole standing army of the Government for 30 years before the Philippine struggle, and that does not include the pension to widows of those who have died.

I have no complaint to make in that direction. We ought to pension those who go into that service and suffer in health due to their enlistment. We paid the soldiers of the Spanish-American and the Philippine War last year $3,111,000, and this burden, for it is a burden—and I say it not complaining—will increase as the years go by. If we shall continue to increase the number on the rolls at this rate, till we are as far away from the date of our occupation as we are from the Civil War we will have added $10,000,000 annually to our expenditures for Philippine service. I make no objections to pensions so long as Congress permits the Government to take men into the Philippines to maintain subjugation. It ought to pay the price. The way to keep the pensions down is to get out of the Philippines while we can do so honorably.

A very large portion of the increased Army and Navy is due directly to our "benevolent assimilation." Let me analyze for a minute. What would the money do for the improvement of our internal resources if spent in this country if our expenditure is $40,000,000 a year? In 10 years we could construct from the interior to the sea a complete system of national waterway, establishing cheap freight rates that would be a benefit to 100,000,000 people; or in one year we could construct all the coastwise trading vessels that we needed for our South American trade; or we could maintain yearly a million miles of highways for the delivery of United States mail; or we could, in two years, build and equip with a million-dollar sinking fund a mechanical and industrial school in every State in the Union.

Mr. Speaker, the great sea battles of the future will be fought in the eastern Pacific and Indian Oceans; fought for two purposes—supremacy in the Far East and for the libera-

tion from alien rule. If we are wise, we will neither seek to take part for the former cause or resist the latter. It is enough for us to remain master and in peaceful possession of this seabound continent of the western world, where the genius and industry of our people will find a fruitful field for centuries to come in the unlimited resources, where this crowning civilization of ours shall continue to lead with "kindly light" the races of the earth to a freer, happier, and more enlightened existence. Though we stand between the European Continent and the Pacific, its vastness is so great that no naval power in the West can command it. I quote from Mr. Putman Weald, in his Conflict of Color, "that no nation or combinations of nations can control it."

Men trained in the evolution of war in our own Navy know this fact. They further know and have asserted it, that no western *nation* could maintain inself in Asiatic waters against the powers there. That ward of ours, the Philippines, is at the mercy of the Asiatic powers, if they combine, no matter what our alliances are in the west. We can not control the trend of political thought or repress it by military and naval forces. If we are to have a hand in Asiatic development, it must be in some other way than by force of arms. I speak to sane and thoughtful men; our vast coast line, our possessions separated from us by thousands of miles, our vulnerable points of attack in the Tropics, makes the hope of naval and military supremacy for us in the Far East a delusion and its realization an impossibility. The distinguished Senator from Massachusetts, discussing the peace treaties with Great Britain and France recently in the Senate, said "war between the United States and England or between the United States and France was inconceivable, if not impossible."

If that be true, and I believe it is true, how insane the thought of subjugating or even maintaining supremacy in the Far East in the event of war. There are measures of self-protection that we may employ for our preservation. There is now pending before the Interparliamentary Union that met in Geneva, Switzerland, last autumn, the greatest proposition ever submitted by a congregation of civilized powers. This is the resolution:

Provided, That the several Governments be required, in arbitration or other treaties, to be considered in the future, a preamble providing that they mutually recognize, first, their natural independence; second, their territorial integrity; and third, their absolute sovereignty in domestic affairs.

We are in an age of constitutional and representative government. The silent forces of that change are seen everywhere as the evolution of the races shall proceed; the influence of our example will be felt. The trade that will flow through the Panama gateway, more than anything else, will transform the world and claim for us recognition for high national character and dispensation of justice to all men. If we shall have our way, our supreme desire will be that all those forces that make for peace and happiness, our prosperity as a Republic, and a commercial Nation shall be made secure. The overwhelming force of the western world's neutrality will, if we are wise, make for our security in the East. Our peril lies in our failure to bind them to us by those treaty provisions that they will love us for those rights we extend to other nations that we enjoy ourselves. Our nobleness that we have enkindled in the breasts of other races has inspired in them our hopes and our destinies.

It was the province of this Republic to illustrate to the world one principle—the principle of self-government anchored within the doctrine of personal liberty. To do that, in the language of that renowned French publicist, Bagehot, we have "exaggerated the idea." We have given it all the prominence that a mighty people could summon. We have so filled the public mind, not only of our own land, but in the west, with the theory that we are bound to each other by that cement which flows from an all-engrossing overwhelming purpose. For a century and a half we have had but one object to which we have given the highest consideration and self-committed devotion. Men with matchless fortitude and unequaled bravery have dared to sacrifice all and do all to perpetuate and exalt the common cause of personal freedom. It is the ideal toward the perfection of which we bend every energy and every hope. [Applause.]

During the delivery of the foregoing remarks, the time of Mr. CLINE having expired, Mr. TAYLOR of Ohio yielded to him five minutes.

Mr. TAYLOR of Ohio. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. BURLESON] to explain the bill. [Applause.]

[Mr. BURLESON addressed the committee. See Appendix.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CLARK of Florida having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 1072) to amend section 895 of the Code of Law for the District of Columbia.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 18787) relating to the limitation of the hours of daily service of laborers and mechanics employed upon a public work of the United States and of the District of Columbia, and of all persons employed in constructing, maintaining, or improving a river or harbor of the United States and of the District of Columbia, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. BORAH, Mr. PENROSE, and Mr. SHIVELY as the conferees on the part of the Senate.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 8279. An act to amend an act approved October 1, 1890, entitled "An act to set apart certain tracts of land in the State of California as forest reservations."

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The committee resumed its session.

The Clerk proceeded to read the bill, and read as follows:

Building inspection division: Inspector of buildings, $3,000; principal assistant inspector of buildings, $1,800; assistant inspectors of buildings—11 at $1,200 each; fire-escape inspector, $1,400; temporary employment of additional assistant inspectors for such time as their services may be necessary, $3,000; civil engineers or computers—1, $1,800; 1, $1,500; chief clerk, $1,500; clerks—1 at $1,050, 1 at $1,000, 1, who shall be a stenographer and typewriter, $1,000; 1 at $900; messenger, $480; assistant inspector, $1,500.

Mr. JOHNSON of Kentucky. Mr. Chairman, I make the point of order against the paragraph that there are some items in it not authorized by existing law. And in order to facilitate matters I will say that at the top of page 2 the words "additional compensation for two assistants to the engineer commissioner, detailed from the Engineer Corps of the United States Army under act of June 11, 1878, two at $250 each," is not authorized by law.

Then, in line 7, "one, $1,400." That contains an increase of $100, and I make the point of order against that also.

Mr. BURLESON. Mr. Chairman, I do not think the point of order is well taken. The item providing for additional compensation to two assistants to the engineer commissioner has been carried in the bill for a number of years, and was embodied in the bill in order to save expense. An additional officer was estimated for by the District Commissioners for the purpose of superintending the building at the time the item was embodied in the bill.

The estimate had been forwarded to the House, and they urged the creation of an additional office, the office of superintendent of the District Building, at a salary estimated at $2,000 or $2,400. The subcommittee dealing with the matter reached the conclusion that the officer was unnecessary, that by imposing the additional duty upon the assistant engineer commissioners and allowing them $250 each we could obviate the necessity for creating the new office, and for that reason we embodied this item in the bill, I think, three or four years ago. It was at the time that we took charge of the new municipal building. As I understand it, even if there had been no officer or office of this character authorized, the fact that it had been embodied in an appropriation bill and carried for three or four years is sufficient authority under the rules of the House for again embodying it in an appropriation bill.

The CHAIRMAN. Does the gentleman from Texas desire to be heard on the point of order against the item of $1,400 in line 7?

Mr. BURLESON. No, Mr. Chairman; I only desire to state that this is an office that has been carried in the bill for a number of years at $1,300, and the subcommittee at this time, upon the urgent insistence of the Commissioners of the District, increased the salary of the person holding it $100, they giving us the reasons why the increase should be made.

The CHAIRMAN. The Chair is prepared to rule. The point of order is sustained on both items. The point of order made by the gentleman from Kentucky was against the paragraph. Does the gentleman from Kentucky modify it so that he lodges it against the two items mentioned?

Mr. JOHNSON of Kentucky. Mr. Chairman, I am willing to make it against these two items. With those two corrections, I have nothing against the paragraph.

The CHAIRMAN. The point of order is sustained as the gentleman from Kentucky modifies it.

Mr. BURLESON. Now, Mr. Chairman, I move to insert, in line 7, page 2, after the figures "$1,500," the words and figures, "one, $1,400."

The Clerk read as follows:

Amend, page 2, line 7, by inserting, after the figures "$1,500," "1 $1,400."

The amendment was agreed to.

Mr. BURLESON. I understand that the Chair sustains the point of order against the words "additional compensation for two assistant commissioners to the engineer commissioner detailed from the Engineer Corps of the United States Army under act of June 11, 1878, 2 at $250 each."

The CHAIRMAN. Yes; the Chair sustains the point of order against those words, and the Clerk will read.

The Clerk read as follows:

Purchasing division: Purchasing officer, $3,000; deputy purchasing officer, $1,600; computer, $1,440; clerk, $1,500; clerks—1, $1,450; 6, at $1,200 each; 3, at $900 each; 6, at $720 each; inspector of fuel, $1,500; assistant inspector of fuel, $1,100; storekeeper, $900; messenger, $600; driver, $480; inspector, $900; inspector, $780; 2 laborers, at $600 each; 2 property-yard keepers, at $1,000 each; inspector of materials, $1,200; temporary labor, $150.

Mr. JOHNSON of Kentucky. Mr. Chairman, I make the point of order against the paragraph because there are items contained in it that are not authorized by law. In order to facilitate matters, I will make my objections specifically known. In line 17, page 2, there is a provision for one clerk at $1,450. That is an increase of $100. In line 21, page 2, there is a provision for two property-yard keepers. That is the creation of an additional office. That should be one instead of two.

Mr. BURLESON. Mr. Chairman, I will state that the point of order against the first item is well taken and I concede it. With reference to the second item, I desire to state to the gentleman that the District Commissioners directed our attention to the fact that the assistant property-yard keeper was performing exactly the same service that is being performed by the property-yard keeper, and they thought it was only just and fair that his salary should be equalized with the salary of the property-yard keeper. It was for that reason that we created the additional office of property-yard keeper, eliminating the office of assistant property-yard keeper, and putting them on an equality. If that does not appeal to the gentleman, of course the point of order will be well taken.

Mr. MANN. Mr. Chairman, I contend that it is not well taken.

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Illinois?

Mr. MANN. Mr. Chairman, I thought the gentleman was through, and I wish to be heard for a moment on the point of order.

Mr. BURLESON. Mr. Chairman, I concede that the point of order made to the item providing for a clerk at $1,450, in line 17, is well taken. I do not concede the proposition that the other point of order is well taken.

Mr. MANN. Mr. Chairman, I think there is no provision of law outside of the appropriation bill for any of the officers named in this paragraph, unless it be the purchasing officer. I do not remember about that. I am quite sure there is no legislative provision of law providing for the computers, or the clerks, or the inspectors of fuel, or the assistant inspectors of fuel, or the storekeepers, or the messenger, or the driver, or any of the other officers named in the paragraph, and the question is whether, without a specific provision of law naming these officers, Congress can make an appropriation under its authority to make an appropriation for carrying on the expenses of the District of Columbia. I think the rulings have been numerous that these various items in the District of Columbia appropriation bill were warranted by the organic law creating the District and providing for the government of the District. It is certain that if a point of order will lie against the two property-yard keepers, then it will lie against one property-yard keeper, because it never has been held that an increase in the number of officials in an appropriation bill, where the number is not fixed by legislative enactment, is subject to a point of order. For instance, in the Post Office appropriation bill every year we necessarily increase the number of clerks and carriers. We specify in the Post Office appropriation bill the number of clerks at the different grades of salaries. It is necessary for the maintenance of the Post Office Department that Congress have the power to increase the number in the current bill beyond the number in the current law. It is within the power of Congress, if we can appropriate for these offices at all, to specify the number for which we appropriate.

Mr. JOHNSON of Kentucky. Mr. Chairman, there is no sort of doubt that every item in that paragraph is subject to a point of order. Not a single, solitary officer in that list has ever been authorized by law. They have been carried for a number of years, but no man can find authorization for one of them. Those offices are necessary, some of them at least, and because they are I do not choose to make the point of order against all of them, but I know that there are idle men in that department, and that the number of idle men may not be unnecessarily increased is the reason why I have made the point of order against the creation of another office.

Mr. MANN. Mr. Chairman, the suggestion of the gentleman from Kentucky [Mr. JOHNSON] that these two property-yard keepers are not necessary is one thing. I do not know anything about that. But that does not affect the question of the point of order. The question here is, and it runs all through this bill—because there are very few positions in this bill that are created by legislative enactment—whether Congress, having passed a law providing for the District of Columbia for the purchase of property, for the ownership of property, for the care and protection of property is under that authority, authorized to provide those officials which Congress thinks are necessary to carry out the business of the organic law providing for the government of the District of Columbia?

Mr. SAUNDERS. Mr. Chairman, I desire to say that I have sent out for the statute, but following the same line of argument that I have been undertaking to present, I wish to state that when authority of law is given for a policy to be pursued, or carried out by a department, or bureau, as for instance, when a department is authorized to make an investigation, or to bring about certain results, the number of officials or agents that may be appropriated for by the committee as being necessary for the investigation, or to secure the results, is a question of discretion to be exercised by the Committee on Appropriations. The authority to make the investigation, or to take the steps contemplated, must be afforded by positive law. We submit that existing law authorizes the employment of these officials, and thereby affords this committee the authority to appropriate for their payment. It is certainly within the proper province of this committee to provide for the salaries of the officials, or agents created pursuant to law. I deny that there is any specific limitation in any act to the effect that only one property yard keeper shall be appointed. No such limitation existing, two such keepers may be appointed, and it is within the discretion of the Appropriations Committee to provide for the salaries of the same. The crux of the matter is whether there is authority to appoint one. If such authority exists without limitation, two may be appointed. The Committee on Appropriations were satisfied on investigation, that two of these officials were needed, and hence made provision for their payment. We submit this matter to the ruling of the Chair.

Mr. JOHNSON of Kentucky. Mr. Chairman, the gentleman from Illinois has referred to the Post Office appropriation bill. That is quite a different matter from the District appropriation bill. The District appropriation bill must not contain an office which has not been authorized under what is known as the organic act of June 11, 1878, or by some amendment thereto. That organic act, taken in connection with that which preceded it, doing away with the territorial form of government, passed June 20, 1874, provides that the commissioners shall not create any offices. That does not mean, of course, that Congress can not create them; but Congress has not passed a law creating any of these offices, and because points of order have not been made against any of the rest of them is no reason why the point of order should not be sustained as against this one.

The CHAIRMAN. Will the gentleman from Kentucky permit this inquiry? If a department or a division exists by authority of law, say of the organic act, which does not fix salaries either in the amount or number of employees in connection with that department or division, nor the particular title by which their office would be known or designated; now, if that be the fact and then thereafter Congress proceeds to legislate by making appropriation to any given amount for given employees for the purpose of carrying out the duties devolving upon that division or department, and if after they have created a certain number as necessary for the carrying on of the work of that department and having fixed their salaries and given the titles of the officers, say, as in this case, one property yard keeper, at $1,000 per annum, such employee or officer not being named in the statute in any way; then if thereafter the Appropriations Committee bring in an additional employee in connection with that department, there being no limit in the law as to the number of employees in that department or number of any particular class of employees in that particular department, does the gentleman contend that before that one particular laborer or property yard keeper can be authorized and cared for by an appropriation that there would have to be a specific act of Congress creating the office or officer of that division or that department?

Mr. JOHNSON of Kentucky. Mr. Chairman, I do in the District of Columbia bill, but I do not contend for it in other bills. This comes under the act of June 11, 1878, and from the passage of that act there has been no such thing created by law

as any of these officers except the purchasing officer himself. As for the property yards, there is no legislation creating them or creating any of these positions that are named under them. There is a purchasing agent authorized by law, but none of those named in the paragraph, and as to the property after it is purchased, there is no law directing him what shall be done with it, and, as a matter of fact, the purchasing agent now purchases in very limited quantities, and it is delivered about the District of Columbia in very small quantities, and but recently the Committee on the District of Columbia has filed in the House a report that there should be a warehouse in which to keep these goods. There is none, and this afternoon, the item having been left out of the bill, the gentleman from New York [Mr. REDFIELD] has just dropped in the basket a bill to provide for a warehouse where these things may be kept, and that bill names the officers who are to preside over that warehouse, and that bill undertakes to cure the very defect that is here.

Mr. SAUNDERS. Before the Chair rules, and if the gentleman from Kentucky [Mr. JOHNSON] has finished, I desire to call the attention of the Chair to the following section and to say in this connection that it is conceded that if this point of order is well taken, it is an exception to the general rule. Hence it must rest upon some provision of law, and I would like to see the particular provision making this exception. If such a provision exists, I am not aware of it.

Mr. JOHNSON of Kentucky. Oh, Mr. Chairman, the burden is upon them to show that it is not subject to a point of order.

Mr. SAUNDERS. Well, I admit that is true, but if the gentleman is familiar with the section to which he refers, and I am not, I ask him for the convenience of the Chair to cite the book, and page. Otherwise it will be necessary to make an investigation of the law that will delay the progress of the bill. In the meantime, I desire, as I have said to call the attention of the Chair to the following law:

Each head of a department is authorized to employ in his department such number of clerks of the several classes recognized by the law, and such messengers, assistant messengers, copyists, watchmen, laborers, and other employees, and at such rates of compensation respectively, as may be appropriated for by Congress from year to year.

In this connection the following ruling has been made. The general law authorizing the employment in the executive departments of such clerks as may be appropriated for, is held to authorize appropriations for clerkships not otherwise authorized. (IV Hinds, sec. 3675.) Moreover when a department is created for a declared purpose, an appropriation for the instrumentalities to carry out this purpose, is authorized. (IV Hinds, sec. 3615.)

The CHAIRMAN. May I ask the gentleman if that is not the law relating to the executive departments of the Government which we ordinarily know as departments headed by Cabinet officers?

Mr. SAUNDERS. I now cite the Chair to this further section:

The commissioners are authorized to abolish any office, to consolidate two or more offices, to reduce the number of employees, to remove from office, and to make appointments to any office under them authorized by law.

Mr. JOHNSON of Kentucky. "Authorized by law." There is not any question about that.

Mr. SAUNDERS. There is no question about that. But what I was going to say to the Chair was that the language "authorized by law" in nowise differs in effect from the language "as may be appropriated for by Congress." If they may be appropriated for, they are authorized by law. If they are authorized by law, they may be appropriated for.

The CHAIRMAN. Does not the gentleman concede that if the point of order is made against this item on the ground as stated by the gentleman from Kentucky [Mr. JOHNSON], that it is not authorized by existing law, and if that point is contested by any gentleman or member of the committee, that the burden is on the member of the committee to show authority authorizing such an office and appropriation?

Mr. SAUNDERS. That is true. I admit that, but it is for the Chair to determine whether or not we have sustained the burden.

Now I am not familiar with, in fact have never seen, the section of the law to which the gentleman from Kentucky [Mr. JOHNSON] refers. In the absence of that statute, I refer the Chair to the sections cited as ample authority for the action of the Committee on Appropriations to which objection is made. I might also say, that we rely upon the general rule, and if it is contended that an exception exists in the case of this particular bill, the burden is on the party making the point of order to furnish the authority creating the exception. The presumption would be that the rule is universal, until the contrary is shown.

The CHAIRMAN. This question arises on the threshold of taking up the bill, and it may be like questions will again arise throughout the bill, and the Chair is indulging the gentleman at this time so that it can be thrashed out, and if a conclusion can be reached about it now, we might not be put to the necessity of putting further time on it.

Mr. JOHNSON of Kentucky. Mr. Chairman, I find I have a memorandum here, which reads as follows:

The mere appropriation for a salary does not thereby create an office so as to justify appropriations in succeeding years.

My notes refer me to Hinds' Precedents, volume 4, pages 393, 443, and 460, which the Chair has at his disposal.

The CHAIRMAN. The Chair is ready to rule. It is conceded that the point of order made against the item of $1,450, in line 17, is subject to a point of order, being an increase in the salary not authorized by law, and therefore the point of order is sustained.

Mr. BURLESON. Now, before the Chair rules upon the other, I wish to perfect the bill. I offer an amendment——

Mr. MANN. You can not offer an amendment until the point of order is disposed of.

Mr. BURLESON. The Chair did not sustain that point of order.

Mr. MANN. The gentleman made a point of order on the paragraph.

Mr. JOHNSON of Kentucky. I desire to modify the point of order until we reach those two items.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. The gentleman from Kentucky [Mr. JOHNSON] made a point of order on the provision in reference to the two property-yard keepers. Until that is disposed of the gentleman can not offer an amendment.

The CHAIRMAN. The Chair is ready to rule.

Mr. SAUNDERS. If the Chair will permit me I would like to submit to the Chair, in connection with the law cited, some additional authority showing that no such exception exists in the case of this particular bill as is contended for, but that the general principle applicable to the other bills applies as well to this bill.

The Secretary of the Treasury shall carefully consider all estimates submitted to him as above provided, and shall approve, disapprove, or suggest such changes in the same, or any item thereof, as he may think the public interest demands; and after he shall have considered and passed upon such estimates submitted to him, he shall cause to be made a statement of the amount approved by him and the fund or purpose to which each item belongs, which statement shall be certified by him, and delivered, together with the estimates as originally submitted, to the Commissioners of the District of Columbia, who shall transmit the same to Congress.

I submit that this section in connection with the other citations, amply supports the right of the committee to make the appropriations recommended for two of these offices, instead of one. In addition, I cite the following extract to which my attention has been called:

To the extent to which Congress shall approve of said estimates, Congress shall appropriate to the amount of 50 per cent thereof.

The items are here; they are estimated for, and the estimates have been approved. In conformity with this estimate the committee has made the proper appropriation.

Mr. JOHNSON of Kentucky. The committee has approved it, Mr. Chairman, but Congress has not.

The CHAIRMAN. The Chair is ready to rule upon the point of order made by the gentleman from Kentucky [Mr. JOHNSON] against the two property yard keepers at $1,000 each, on line 22 of page 2, the point of order being directed to the item as being an increase of one property yard keeper at the salary stated.

The Chair takes cognizance of the fact that the purchasing division is a division of the government of the District of Columbia, necessary and incident to the carrying out of the work relating to that division for the District of Columbia. Now, if that be true and such a division is authorized under the law, and Congress undertakes to provide and does provide for the officers and salaries of that department, there being no express statute limiting the number of employees in it——

Mr. JOHNSON of Kentucky. Right there, Mr. Chairman, if the Chair will pardon me for one moment, the statute creating the office of purchasing agent does limit it, because it does not go any further. It creates the one, and stops with the one.

The CHAIRMAN. The point as stated by the gentleman from Kentucky proceeds on the assumption, then, that the purchasing division and all its officers and employees, unless he will consider this an exception, would be subject to the same point of order as he makes against this one property yard keeper.

Mr. JOHNSON of Kentucky. The point of order, I contend, would lie against every officer in that paragraph except the one officer, the purchasing agent, which office has been created by law and none of the others has been.

The CHAIRMAN. That is precisely what the Chair undertook to state, that if the position taken by the gentleman relative to the purchasing officer was correct then the salary of each person in that division would be subject to a point of order if a Member saw fit to make it. In that view the Chair does not concur.

Then, as the Chair was about to state, if the item providing for two property yard keepers in conjunction with this division is reported by the committee, based upon estimates made in conformity with law, it would be not a parliamentary question as to whether two property yard keepers at this day and hour should go into the bill, but would be a matter to be determined by the will of the committee, and therefore the point of order on that item is not sustained.

Mr. MANN. Mr. Chairman, I withdraw the point of order.

Mr. BURLESON. Mr. Chairman, I offer an amendment. After the word "clerks," in line 17, page 2, insert "1 at $1,300."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Texas [Mr. BURLESON].

The Clerk read as follows:

Amend, page 2, line 17, by inserting, after the word "clerks," the words "1 at $1,300."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. BURLESON].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Building inspection division: Inspector of buildings, $3,000; principal assistant inspector of buildings, $1,800; assistant inspectors of buildings—11 at $1,200 each; fire-escape inspector, $1,400; temporary employment of additional assistant inspectors for such time as their services may be necessary, $3,000; civil engineers or computers—1 $1,800, 1 $1,500; chief clerk, $1,500; clerks—1 at $1,050, 1 at $1,000, 1 who shall be a stenographer and typewriter, $1,000, 1 at $900; messenger, $480; assistant inspector, $1,500.

Mr. FOWLER. Mr. Chairman, I reserve a point of order against the paragraph, especially on page 3, line 5, as to a computer, "1 at $1,800." That is an increase of salary from $1,500.

Mr. TAYLOR of Ohio. Mr. Chairman, does the gentleman make the point of order?

Mr. FOWLER. Yes; I make the point of order.

Mr. TAYLOR of Ohio. I think the Chair can dispose of it.

Mr. BURLESON. Mr. Chairman, I will ask the gentleman from Illinois [Mr. FOWLER] to reserve his point of order.

The CHAIRMAN. Does the gentleman from Illinois reserve his point of order or make it?

Mr. FOWLER. I reserve it.

Mr. BURLESON. Mr. Chairman, the subcommittee, in preparing this bill, constrained by the earnest representations made by the District Commissioners, slightly increased the salary of this officer. The District Commissioners stated that this man was appointed in 1909. They stated, further, that—

This position is a most important one, involving great responsibility and care, and requires a man of high technical training and of exceptional ability. He passes on the structural features of buildings, and permit to build is issued only after approval of plans by him. The increase in the number of large buildings, in the erection of which iron, concrete, and other fire-resisting materials form such a conspicuous structural feature, has necessitated the expenditure of a greater amount of technical labor than has ever heretofore been required. The salary is quite incommensurate with the duties rendered, and is unfair to the type of man necessary to properly fill the position.

I want to state to the committee that the subcommittee, acting upon just such recommendations, have increased the salaries of quite a number of employees in the District service. They did it after giving most careful consideration to the statements made to them by the District Commissioners. I concede that any individual Member, without any investigation whatever, can come here and set up his judgment, based merely upon the reading of an item in the bill, against the judgment of the committee, and that the point of order will be sustained and the item eliminated from the bill.

Mr. BARTLETT. I want to call attention to the fact that the committee have been very careful to set out in detail in their report what they have done in each particular instance, so that nothing is concealed or attempted to be concealed.

Mr. BURLESON. I do not intend to consume the time of the House in giving the reasons which prompted us to grant these small increases in the bill.

Mr. FOWLER. I shall be glad to have them.

Mr. BURLESON. We have increased the salaries of 83 employees. Those increases aggregate $15,329. The average increase in each of these salaries is $184.

Mr. SAUNDERS. They are the smaller fish.

Mr. BURLESON. As a general rule they are the officials of the District government who are receiving the smallest salaries.

Your committee have not attempted to conceal from the membership of the House any action that it has taken in connection with this matter. In our report we specifically point out every change that is made in this bill, either in the way of an increase of a salary or the omission of a salary; either in the way of the creation of a new office or the elimination of an office heretofore carried in the bill. Every single item involving a change of legislation is carefully set forth in the report published for the information of this House.

Now, as I have stated, if any individual Member wants to set up his judgment against the judgment of the subcommittee that prepared this bill and the judgment of the entire committee that afterwards gave it their approval, he can do so, and I do not propose to consume the time of the House in making the explanations that moved us to grant these few increases.

Mr. FOWLER. Mr. Chairman, I shall be glad to ask the gentleman how many of these increases affect those who are engaged in manual labor in the District of Columbia.

Mr. BURLESON. I will state to the gentleman that most of these increases are for such employees.

Mr. TAYLOR of Ohio. At least 90 per cent.

Mr. BURLESON. The gentleman from Ohio informs me about 90 per cent.

Mr. TAYLOR of Ohio. Probably more.

Mr. BURLESON. That 90 per cent are those engaged in manual labor; but I am not able to state it accurately.

Mr. FOWLER. Does the gentleman mean to say that 90 per cent of the $15,000 increase applies to those who are engaged in manual labor?

Mr. BURLESON. That is his estimate. I will not attempt to make an estimate. I am unable to state, but I will state that the major portion of these increases are for those who are engaged in manual labor. The gentleman has the report of the committee before him, and that portion of it covers only two pages. He can run through the list and very readily ascertain those who are engaged in manual labor.

Mr. FOWLER. Is it not a fact that the increases for those engaged in manual labor are a mere bagatelle?

Mr. BURLESON. I do not think so.

Mr. FOWLER. For instance, about $40 where a man is getting $320 a year, or $40 where a scrub woman is getting $240 a year. In other words, she is to receive a total annual compensation of $280 by your increase. And it is not worthy of the name of an increase; it is an insult to the person who is doing the manual labor. Is it not a fact that you increase others by leaps and bounds, by hundreds of dollars, such as the district attorney, to the amount of $500 at one jump?

Mr. BURLESON. It is not a fact that we are increasing others by leaps and bounds against those engaged in manual labor. There has been a proportionate, fair, just increase in those engaged in manual labor as compared with others. The gentleman has alluded to the corporation counsel. I want to say that he earns every dollar that is being paid him by the District government, and a recommendation has been made year after year that the salary of that official of the District government be increased, and this year the committee yielded to the request of the commissioners, and increased it to the amount that he deserves.

Mr. FOWLER. The committee tried to increase it last year.

Mr. BURLESON. No; they did not.

Mr. FOWLER. Yes; the committee did and a point of order was sustained, and now you come back and try to increase it again. I ask you if you could not get 25 just as good lawyers to take the place for the salary now paid if you would but open the door and let them come in?

Mr. BURLESON. I am quite sure that you could not, and I will say to the gentleman from Illinois that I am not responsible for the frailty of his memory when he says that last year we attempted to increase the salary, because I tell you we made no such attempt. In fact, we were subjected to some little criticism because we increased only two salaries in the District of Columbia appropriation bill last year, and those were the salaries of two employees in the Tuberculosis Hospital.

Mr. FOWLER. I know that you did not increase the salary of the district attorney, but you tried to do it.

Mr. BURLESON. I say again that I am not responsible for the frailty of the memory of the gentleman from Illinois that makes him reiterate that statement when I state to him that the committee increased only two salaries, and were subjected to some little criticism because we did not increase others.

Mr. FOWLER. Does the gentleman mean to say that the salary of the district attorney was not reported from his committee in the bill recommending that the salary be increased to $5,000?

Mr. BURLESON. That is exactly what I mean to say.

Mr. FOWLER. And does the gentleman mean to say that a point of order was not sustained to that effort to make the increase?

Mr. BURLESON. That is just exactly what I mean to say, positively and emphatically; that we made no such effort. The gentleman's memory evidently goes back to a bill before the last year's bill.

Mr. DYER. If the gentleman from Texas will permit, I will say that there was some amendment offered from the floor to increase the district attorney's salary, and that probably is what confuses the mind of the gentleman from Illinois.

Mr. BURLESON. But that is not the issue here.

Mr. FOWLER. I can not recall, Mr. Chairman, of course, every item in the bill, but I do recollect the fact of some man standing here on the floor of the House and making a point of order against an effort—whether by amendment or whether it was in the bill as it came from the hands of the committee I can not recall—but it was sought to increase the salary of the District attorney from $4,500 to $5,000, and I still recall that whenever there was an amendment offered to increase the salary of a laboring man, such as those who scrub the streets around the markets of this city at a salary of $240 a year, that the committee, or some member thereof, stood on the floor of this House and made a point of order against every attempt to increase the salary of the laboring man of this District.

Mr. BURLESON. Just as we made the point of order to the amendment seeking to increase the salary of the corporation counsel.

Mr. FOWLER. I made that point of order.

Mr. MADDEN. Mr. Chairman, I wish to direct myself to the consideration of the item against which my colleague [Mr. FOWLER] has reserved the point of order. Recommendation has been made by the committee to increase the salary of the computer from whatever he is receiving now to $1,800. This computer is a civil engineer. The volume of building being done throughout the District is growing greater every day, and the character of the construction of the buildings is much superior to what it used to be. Different classes of material are being used in the construction of buildings now, and many of the buildings are being constructed wholly of steel, so far as the interior goes.

The man who occupies this place, whoever he may be—and I do not know who he is—must be able to figure the tensile strength of all materials entering into the construction of a building. He must have the scientific knowledge on which to base a recommendation for the issuance of a permit which will enable those who issue the permit to be certain that the material used has the strength to carry the load which is to be placed upon it. This position is one requiring the highest class of scientific engineering knowledge, and the sum of $1,800 a year is inadequate to compensate such a man for the service which he is required to render.

Mr. BUTLER. One can not get it for $1,800, can he?

Mr. MADDEN. There is no city in the Union with a population equal to that of Washington whose building department is run anywhere nearly so economically as the building department in this city. I think it would be much better for the people who live in the District and for the safety of the people who are engaged in the construction of buildings to have many more technical men employed, to see that all the material entering into the construction of buildings is of the character that will insure safety. I surely hope that my colleague will not insist upon a point of order against the recommendation for the increase of a salary of a man required to know what a man who occupies this place must know. The construction of buildings is an important factor in the life of a community. To see that they are properly constructed is one of the most essential elements in the conduct of this department. The man who is a computer must not only know how to figure tensile strength of steel girders and of every other article of material entering into a building, but he must be able to ascertain whether all the sanitary appliances necessary are being provided. This is an important task. We ought not to consider it too lightly. We ought to be willing to pay men who are qualified to do this important task just compensation, and because some man who occupies a more menial position, forsooth, may not be getting all that some Member thinks he ought to get for the work he does, is not a good argument against the payment of proper compensation to the man who needs this scientific knowledge in order to perform his work.

Mr. BURLESON. Mr. Chairman, in order that there may be no doubt about the action taken by the committee last year, I have here the bill that was reported to the House, and one of the items is:

Corporation counsel, $4,500.

The CHAIRMAN. Does the gentleman from Illinois insist on his point of order?

Mr. FOWLER. I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. BURLESON. Mr. Chairman, I move to amend by inserting after the word "computers" the words and figures "one, $1,500."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 3, line 5, by inserting at the beginning of the line: "One, $1,500."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk read as follows:

To reimburse two elevator inspectors for the provision and maintenance by themselves of two motor cycles for use in their official inspection of elevators in the District of Columbia, $10 per month each, $240.

Mr. JOHNSON of Kentucky. Mr. Chairman, I make the point of order against the paragraph, because it is not authorized by existing law. It is another means of paying a private claim, which is not in order on this bill. I refer the Chair to the authorities which I found and laid on his desk a moment ago.

Mr. BURLESON. Mr. Chairman, I contend that this is not subject to a point of order. By this item it is intended to reimburse two employees of the Government for expenditures made by them by reason of using an implement or machine that is necessary to be used in the discharge of their official duties.

Mr. COX. Who buys the motor cycles in the first instance—the District or the employee?

Mr. JOHNSON of Kentucky. The employee.

Mr. BURLESON. I do not know. In some services the employee buys them and in some the District owns the machines. I do not know whether in this particular case the motor is furnished by the employee or is owned by the District.

Mr. JOHNSON of Kentucky. The hearings show that they are privately owned.

Mr. BURLESON. I am just now informed that in this particular case the employees own their own motor cycles.

Mr. DYER. And this is furnished upon the same theory that car tickets are furnished to inspectors.

Mr. BURLESON. Exactly; and this fund is necessary to be used in the discharge of duties imposed upon them by the office they hold, just as certain employees are paid $20 a month for the keep of a horse; just as street-car tickets are furnished to certain employees whose duties call upon them to use the street car service.

Mr. MANN. May I ask the gentleman why did the committee reduce the amount from $15 to $10 a month?

Mr. BURLESON. You mean reduce the estimate?

Mr. MANN. These inspectors are now paid at the rate of $15 for expenses of maintaining motor cycles. Why was it reduced to $10?

Mr. BURLESON. We did it after making inquiry of a number of the merchants in the city who are engaged in selling motor cycles. Anxious to protect the Treasury, we made an investigation to ascertain whether we were paying too much, and we reached the conclusion that $10 per month was ample to cover this service, and therefore we reduced it from $15 to $10.

Mr. COX. In that connection will the gentleman yield?

Mr. BURLESON. Certainly.

Mr. COX. Has this amount been turned over in a lump sum to these owners of these motor cycles heretofore?

Mr. BURLESON. They are paid each month $10 to cover expenses which they incur.

Mr. COX. Whether the expense has actually taken place, so far as the repair of these motor cycles is concerned or not?

Mr. BURLESON. There may be more expense incurred during one month than $10 would cover, and the next month it may be less. As I have just stated, we made inquiry of half a dozen merchants who are engaged in selling these motor cycles, with a view of ascertaining what would be a fair cost per month for this service, and we reached the conclusion, based on what they told us, that $15 was too much, and we reduced it to $10. We think $10 per month is a fair allowance for this service.

Mr. COX. Will the gentleman yield at that point? The gentleman did not have before him any of the owners of the motor cycles with a view of eliciting from them the information as to how much the upkeep of the motor cycles actually did cost them?

Mr. BURLESON. No; we tried to secure our information from unbiased sources and we adopted the means at hand in order to secure unbiased opinions, and therefore we made in-

quiry of those who are engaged in the sale of motor cycles, and not from those who are operating them.

Mr. COX. And they estimated $10?

Mr. BURLESON. The merchants stated to us that $10 was a fair allowance for the service.

Mr. TAYLOR of Ohio. We called up various motor-cycle owners and others in regard to the subject, we had a very careful investigation of this matter, and after thoroughly considering it we thought we could reduce it to $10——

Mr. COX. Was there any objection coming from the owners of the motor cycles in regard to the reduction in any way?

Mr. TAYLOR of Ohio. Coming from the owners we proposed to compensate, we have not consulted them, but we found it was a fair, liberal rental.

Mr. COX. Did you hear of any protest on their part?

Mr. TAYLOR of Ohio. We have not heard anything.

Mr. JOHNSON of Kentucky. Mr. Chairman, it is admitted that these machines are owned by individuals and not by the District. The language itself shows that it is a contemplated reimbursement to an individual to cover the expense of caring for his private property, and I insist that by that it becomes a private claim, and when it becomes a private claim it is subject to the point of order, according to the authority which I just laid before the Chairman—the fourth volume of Hinds' Precedents.

The CHAIRMAN. The Chair is ready to rule. The Chair sustains the point of order.

Mr. BURLESON. Mr. Chairman, I offer the following amendment: Insert in the place where the language was stricken out the following:

To two elevator inspectors, for the provision and maintenance by themselves of two motor cycles for use in their official inspection of elevators in the District of Columbia, $10 per month each, $240.

Mr. JOHNSON of Kentucky. Oh, Mr. Chairman, that is just the same thing. I make the point of order against it.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 3, by inserting in the place of the paragraph stricken out:

"To two elevator inspectors, for the provision and maintenance by themselves of two motor cycles for use in their official inspection of elevators in the District of Columbia, $10 per month each, $240."

Mr. JOHNSON of Kentucky. That is a distinction without a difference, Mr. Chairman. I have made the point of order.

The CHAIRMAN. The gentleman from Kentucky makes the point of order on the amendment.

Mr. SAUNDERS. Mr. Chairman, I desire to address myself to the point of order. When a policy is established to be carried out, or discharged by a department, or bureau head, or their equivalent, it is entirely competent to appropriate for the agents required to carry out the policy, and for the instrumentalities that promote the efficiency of the agents.

In conformity with this principle we appropriate for the maintenance of the horses of the mounted police, though as I understand these horses are owned by the policemen. This appropriation provides for the maintenance of an instrumentality highly promotive of an efficient discharge of duty by these officials. In a word it greatly increases their efficiency, and in effect renders an increase of their number unnecessary. It is in the interest of economy to make this appropriation. This is not a claim. These men are making none. The amendment makes a direct appropriation to pay for the upkeep of motor cycles, just as we might provide these officials with riding horses, or car tickets, or horse-propelled vehicles in order to increase their efficiency, by providing them with means of rapid transit. These instrumentalities multiply the efficiency of these particular officials, and it is entirely competent for this committee to provide for their maintenance. In this connection, I can submit to the Chair, if it is desired, abundant authority to establish that when authority is given to create an official, and to give him a salary, an appropriation may be made to pay for his transportation necessarily incurred in the discharge of his duties. If the official owns the instrumentality as the officials in this instance, happen to do, it is competent for us to provide for their upkeep, just as we might appropriate for the car fare of certain employees, when in the course of duty, it is necessary to use the cars. No question of reimbursement is presented in this amendment. We are primarily and directly providing for the maintenance of the motor cycles of these particular officials, who have frequent occasion to use them in the line of duty.

The CHAIRMAN. Does the gentleman from Kentucky [Mr. JOHNSON] desire to be heard on the point of order?

Mr. JOHNSON of Kentucky. Mr. Chairman, I thought the point of order had been sustained.

The CHAIRMAN. No ruling has been made by the Chair on the amendment as proposed by the gentleman from Texas [Mr. BURLESON].

Mr. JOHNSON of Kentucky. Mr. Chairman, as to the amendment, it is just the same thing as the original clause, except it is couched in a little different language. The purpose and object is just the same and the end is just the same.

The CHAIRMAN. The original amendment to reimburse elevator inspectors is subject to the infirmity, as viewed parliamentarily, as an appropriation for a private claim. The original amendment recited that it was to reimburse for the upkeep, as stated by the gentleman from Kentucky, as the private instrumentality of travel of the employee. Now the gentleman moves an amendment which is to allow a certain sum for elevator inspectors for repair of vehicles——

Mr. JOHNSON of Kentucky. Would not that be an increase in their salary and be subject to a point of order?

The CHAIRMAN. The Chair will hear the gentleman on the subject.

Mr. JOHNSON of Kentucky. That is all.

The CHAIRMAN. The Chair rules on the amendment as it is submitted in such a way as to construe the effect of it, as judged by the rule of parliamentary law, and the point of order to the amendment as last offered is accordingly overruled. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Transportation, for means of transportation, and for maintenance of means of transportation, $1,000.

Mr. JOHNSON of Kentucky. Mr. Chairman, I make a point of order against the item in that it is new legislation. And I might say in support of it that in the hearings, on page 25, line 30, this colloquy took place before the Committee on Appropriations:

Mr. BURLESON. This item on page 12 practically means the starting of a new item of appropriation which will be carried continuously?

Col. JUDSON. Yes, sir; that is what it means.

Mr. BURLESON. Mr Chairman, it is a new item—I do not deny that—but it is intended to defray the expenses of certain employees in the District government whose duties compel them, if they properly discharge them, to visit every section of this city. It is to defray the expenses of the building inspectors and the elevator inspectors. The latter are compelled, some of them, to visit all the public buildings, all the hotels, and all the office buildings, and they can not properly discharge their duties unless they go to these various places. The District government undertakes, in this item, to furnish them transportation in order that they may properly discharge the duties imposed upon them. The method of transportation may be by street car, motor car, horse and buggy, bicycle, or motor cycle, but the purpose of the appropriation is to facilitate and aid the employees of the government who are compelled to visit various parts of the city to properly and efficiently discharge their duties.

Mr. JOHNSON of Kentucky. I am quite familiar with the purpose of it, Mr. Chairman. That appears upon its face. But, nevertheless, it is new legislation.

Mr. CANNON. Mr. Chairman, I am at a loss to see how this point of order could be sustained. In the first place, here is a District government created by law. This is an appropriation to support that government, and we, as the common council, are considering the appropriation. Does the gentleman contend that if another building for the fire department was necessary, that would be a new appropriation? Is it a new appropriation, not authorized, to buy an additional fire engine? Here is a service; this is for transportation in the conduct of that service. It is a necessary incident, or it is an incident to the service. It may be that it is not necessary, but that is up to the Committee of the Whole and to the House to establish. But to say that it is not authorized by law is equivalent to saying that if you have been using towels heretofore you could not make an appropriation for sponges.

The CHAIRMAN. The Chair overrules the point of order. The Clerk will read.

The Clerk read as follows:

Plumbing inspection division: Inspector of plumbing, $2,000; principal assistant inspector of plumbing, $1,550; assistant inspectors of plumbing—1 at $1,200, 4 at $1,000 each; clerks—1 at $1,200, 1 at $900; temporary employment of additional assistant inspectors of plumbing and laborers for such time as their services may be necessary, $1,700; draftsman, $1,350; sewer tapper, $1,000; 3 members of the plumbing board, at $150 each.

Mr. COX. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman in charge of this bill whether or not the members of this plumbing board receive any other salary than $150.

Mr. BURLESON. They receive additional compensation. The members of the board are employees of the District gov-

ernment, but as their duties as members of this board was an additional duty imposed upon them at the time the board was provided for, an estimate was submitted for paying its members, and after carefully considering the estimate it was thought that the service being rendered was worth the amount carried in the bill.

Mr. COX. How much other salary do they get?

Mr. BURLESON. I do not recall the salary that is otherwise paid to the various members of the board.

Mr. COX. How many of them are there?

Mr. BURLESON. There are three of them. These duties of the members of this board are discharged by them after office hours.

Mr. COX. That is the very point I wanted to inquire about.

Mr BURLESON. And for that reason we concluded that we could utilize the services of certain of the District employees and fairly compensate them for it, aiding them and at the same time saving expense to the District.

Mr. COX. Then they do not consume any time whatever in this work that should be devoted to their other duties? This is an extra duty which they perform, and this $150 payment to each is intended to be compensation for that extra duty?

Mr. BURLESON. Yes; for the extra duty they perform after office hours.

Mr. CALDER. Mr. Chairman, what are the duties of the plumbing board?

Mr. BURLESON. There are certain duties imposed by law upon this plumbing board; the statute was passed a few years ago. Persons who are desirous of engaging in business as plumbers in the District of Columbia are required by law to have certain qualifications, certain attainments, and this board passes upon the qualifications of those desiring to enter the trade before they are given a plumber's license.

Mr. COX. Do all the plumbers have to have a license?

Mr. BURLESON. As I understand it; yes.

Mr. COX. Then this is a board to examine the qualifications of plumbers in this District?

Mr. BURLESON. Yes; they test the qualifications of those who are desirous of engaging in the plumbing business in the District of Columbia.

Mr. CALDER. It is a very necessary board. We have a similar board in my home city.

Mr. BURLESON. We have a similar board to examine those who wish to engage in steam engineering. Congress thought it was necessary to provide by law for the creation of this board, and acting in pursuance of that law the board was provided for, and we thought it more economical to employ those who were already in the District service, receiving compensation for labors they were performing at that time, as members of the board and compensate them for the additional service they rendered.

Mr. McKELLAR. Mr. Chairman, does this plumbing board fix the price for plumbing? [Laughter.]

Mr. BURLESON. Probably that duty ought to be imposed upon them, but up to the present time it has not been imposed upon them.

Now, Mr. Chairman, I move that the committee rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RODDENBERY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 28499) making appropriations to provide for the expenses of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, and had come to no resolution thereon.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled bill and joint resolution of the following titles:

S. 1072. An act to amend section 895 of the Code of Law for the District of Columbia; and

S. J. Res. 158. Joint resolution approving the plan, design, and location for a Lincoln memorial.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 8279. An act to amend an act approved October 1, 1890, entitled "An act to set apart certain tracts of land in the State of California as forest reservations"; to the Committee on the Public Lands.

LEAVE OF ABSENCE.

Mr. WILDER, by unanimous consent, was granted leave of absence for five days, on account of the death of his mother.

HOUR OF MEETING TO-MORROW.

Mr. BURLESON. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn until 11 o'clock to-morrow.

The SPEAKER. The gentleman from Texas [Mr. BURLESON] asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

Mr. MANN. Reserving the right to object, Mr. Speaker, I would like to know what the House will proceed with to-morrow, so far as the public business is concerned.

Mr. BURLESON. It is my purpose to try to continue the consideration of this bill.

Mr. MANN. But the gentleman is not at all sure that we might not have an extra hour for other purposes wasted? The gentleman can get unanimous consent that we proceed with the consideration of this bill to-morrow.

Mr. BURLESON. Well, I will modify my request and ask unanimous consent that we proceed with the consideration of the District of Columbia appropriation bill to-morrow immediately after the approval of the Journal.

The SPEAKER. Of course that is subject to conference reports and things like that.

Mr. BURLESON. Certainly.

The SPEAKER. The Chair thought perhaps they would again get up the immigration conference report to-morrow. The gentleman from Texas asks unanimous consent that when the House adjourns to-day it adjourn until 11 o'clock to-morrow morning, and that after the reading of the Journal and such little matters of routine as ought to be attended to the House shall resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the District of Columbia bill.

Mr. MURRAY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MURRAY. The Chair made a reference to such matters as conference reports. I should like to know whether the House may at this time make an arrangement which would give this matter precedence over such a matter as the conference report on the immigration bill?

The SPEAKER. Yes; the House can do that by unanimous consent, but there are no conference reports. There are always some little matters of routine, like personal requests and corrections of the Journal, and there might be some little matter of business that would not take a minute to attend to, that Members would want to present for immediate consideration.

Mr. MANN. That can be done by unanimous consent of the House to-morrow.

Mr. MURRAY. The Chair made reference to a possible conference report on the immigration bill.

The SPEAKER. That remark was intended to be facetious.

Mr. MURRAY. Oh.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MANN. Is an adjournment to 11 o'clock included as a part of the unanimous consent?

The SPEAKER. Yes.

EXPENSES OF THE INAUGURAL CEREMONIES.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution 157, one of the inaugural resolutions.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of a joint resolution, which will be reported by the Clerk.

Senate joint resolution 157, to enable the Secretary of the Senate and the Clerk of the House of Representatives to pay the necessary expenses of the inaugural ceremonies of the President of the United States March 4, 1913, was read, as follows:

Resolved, etc., That to enable the Secretary of the Senate and Clerk of the House of Representatives to pay the necessary expenses of the inaugural ceremonies of the President of the United States March 4, 1913, in accordance with such program as may be adopted by the joint committee of the Senate and House of Representatives, appointed under a concurrent resolution of the two Houses, including the pay for extra police for three days, at $3 per day, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, $25,000, or so much thereof as may be necessary, the same to be immediately available.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. MANN. Mr. Speaker, I have no objection to the consideration of the joint resolution, but I wish to ask the gentleman a question.

Mr. FITZGERALD. I shall be glad to answer the gentleman's question.

Mr. MANN. This appropriation, as I understand it, is, in part or in whole, to cover the expenses which may be incurred under the direction of the joint committee of the House and Senate.

Mr. FITZGERALD. It is to cover entirely the expenses to be incurred.

Mr. MANN. It covers those expenses, but it may cover some other things.

Mr. FITZGERALD. Stands and such things.

Mr. MANN. Stands and platforms out in front of the Capitol, and so forth?

Mr. FITZGERALD. Yes. Four years ago, after the joint committee had provided a stand, the officials of the two Houses provided separate stands. I understand the Superintendent of the Capitol Building and Grounds has taken the matter up with the joint committee and objected to those stands because of the fire danger, and I understand that the joint committee have arranged to have a stand sufficiently large to provide the accommodations which would be given by these separate stands if they were erected.

Mr. MANN. That brings us to the real point of inquiry; how many tickets do we get?

Mr. FITZGERALD. I will ask the gentleman from Tennessee to make a statement and to be as liberal as he can. I do not think the gentleman from Illinois is particularly interested in it.

Mr. MANN. I am getting the information for the benefit of the House.

Mr. GARRETT. Mr. Speaker, it was decided by the joint committee to increase the size of the regular stand so that it would have a capacity as great as was had by the regular stand four years ago with the two extra stands that were built, one by the Senate and one by the House, in so far as that committee could control the situation. The Superintendent of the Capitol Building and Grounds thought the erection of those special stands very objectionable on account of the danger of fire, and recommended this proposition which the committee now adopts. Now, as far as the number of tickets is concerned, I have to say to the gentleman from Illinois that that is still in abeyance.

Mr. MANN. I thought that possibly the committee had got far enough so that the gentleman could figure out how much space there will be. It will not be long before there ought to be an announcement to the House, because Members will be receiving requests for seats very soon.

Mr. GARRETT. The seating capacity of the stand that is recommended by the joint committee is 8,500. Of course, the gentleman understands that there will be something like 2,000 of these tickets taken up to accommodate those who have admission to the Senate floor.

Four and eight years ago each Member of the House received four tickets and each Member of the Senate received 12 tickets to the stand.

Mr. FITZGERALD. That is a great disproportion.

Mr. MANN. They had the same size stand that we had, but a smaller membership.

Mr. GARRETT. That was based upon the fact that they only had a membership of less than one-third of the House. There is a hope that the House may have some addition to that number, but I can not say positively.

Mr. FITZGERALD. I have a great many applications for seats on the stand, but if the gentleman could make arrangements so that some of these applicants could remain here permanently during the next three or four years I think they would be willing to surrender their places on the stand. [Laughter.]

Mr. GARRETT. I can say to the gentleman that it will certainly not be less than four tickets to each Member, and possibly more.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FITZGERALD, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

ADJOURNMENT.

And then, on motion of Mr. FITZGERALD (at 5 o'clock and 42 minutes p. m.), the House, under its previous order, adjourned until to-morrow, Friday, January 31, 1913, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, submitting an item of appropriation for the consideration of Congress in connection with the preparation of the sundry civil bill for the fiscal year ending June 30, 1914 (H. Doc. No. 1314); to the Committee on Appropriations and ordered to be printed.

2. A letter from the president of the Chesapeake & Potomac Telephone Co., submitting annual report of said company for the year 1912, to be substituted for report submitted January 13, 1913 (H. Doc. No. 1315); to the Committee on the District of Columbia and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of an appropriation for settlement of claims for damages to and loss of private property of citizens of the United States for the fiscal year 1914 (H. Doc. No. 1316); to the Committee on Military Affairs and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of an appropriation for service of the fiscal year 1914 for repairs to the Government roadway to Vicksburg (Miss.) National Cemetery (H. Doc. No. 1317); to the Committee on Military Affairs and ordered to be printed.

5. A letter from the Washington Utilities Co., submitting report for the month of December and year 1912, and Washington-Virginia Railway Co. report for 11 months ended November 30, 1912 (H. Doc. No. 1318); to the Committee on the District of Columbia and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. RUCKER of Colorado, from the Committee on Pensions, to which was referred the bill (H. R. 19800) pensioning the surviving officers and enlisted men (or their widows), who served in the Indian wars of the western frontiers of the several States and Territories from the year 1865 to the year 1898, inclusive, reported the same with amendment, accompanied by a report (No. 1417); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BRADLEY, from the Committee on Military Affairs, to which was referred the bill (H. R. 28469) granting two condemned cannon to the Wallkill Valley Cemetery Association, of Orange County, N. Y., reported the same without amendment, accompanied by a report (No. 1421), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BULKLEY, from the Committee on Patents, to which was referred the bill (H. R. 28286) to amend sections 4931 and 4934 of the Revised Statutes of the United States, reported the same with amendment, accompanied by a report (No. 1423), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FITZGERALD, from the Committee on Appropriations, to which was referred the joint resolution (S. J. Res. 157) to enable the Secretary of the Senate and the Clerk of the House of Representatives to pay the necessary expenses of the inaugural ceremonies of the President of the United States on March 4, 1913, reported the same without amendment, accompanied by a report (No. 1415), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SLAYDEN, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 143) authorizing the Secretary of War to loan certain tents for use at the meeting of the Imperial Council of the Ancient Arabic Order of the Nobles of the Mystic Shrine to be held at Dallas, Tex., in May, 1913, reported the same without amendment, accompanied by a report (No. 1416), which said bill and report were referred to the House Calendar.

Mr. WEBB, from the Committee on the Judiciary, to which was referred the bill (H. R. 28335) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, reported the same without amendment, accompanied by a report (No. 1418), which said bill and report were referred to the House Calendar.

Mr. ALEXANDER, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 1653) to provide American register for the steam yacht *Diana*, reported the same without amendment, accompanied by a report (No. 1420), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. PRINCE, from the Committee on Military Affairs, to which was referred the bill (S. 3873) for the relief of Lewis F. Walsh, reported the same without amendment, accompanied by a report (No. 1419), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. STEPHENS of California: A bill (H. R. 28524) to create a board of local inspectors, Steamboat-Inspection Service, for the port of Los Angeles, Cal.; to the Committee on the Merchant Marine and Fisheries.

By Mr. COX: A bill (H. R. 28525) to purchase a post-office site at Salem, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. LANGLEY: A bill (H. R. 28526) to provide cumulative sick leave with pay to storekeepers, gaugers, and storekeeper-gaugers; to the Committee on Expenditures in the Treasury Department.

By Mr. TAYLOR of Colorado: A bill (H. R. 28527) for the relief of the White River Utes, the Southern Utes, the Uncompahgre Utes, the Tabeguache, Muache, Capote, Weeminuche, Yampa, Grand River, and Uinta Bands of Ute Indians, known as the Confederated Bands of Ute Indians, of Colorado; to the Committee on Indian Affairs.

By Mr. RAKER: A bill (H. R. 28528) for improvement of Sacramento River between Chico Landing and Red Bluff, Cal.; to the Committee on Rivers and Harbors.

By Mr. HOWARD: A bill (H. R. 28529) increasing the limit of cost of the post-office building at Atlanta, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. REDFIELD: A bill (H. R. 28530) to provide for a warehouse for the receipt, care, and distribution of supplies for the use of the government of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. MOORE of Pennsylvania: A bill (H. R. 28531) for the purchase of a site and to begin the construction thereon of a customhouse in the city of Philadelphia, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. SWEET: A bill (H. R. 28532) to increase the limit of cost for the construction of the Federal building at Holland, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. LEVY: Joint resolution (H. J. Res. 391) recognizing The Star Spangled Banner as the official anthem of the United States of America; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANTRILL: A bill (H. R. 28533) for the relief of Isaiah James; to the Committee on War Claims.

By Mr. EDWARDS: A bill (H. R. 28534) for the relief of the heirs of Mary J. Cooper, deceased; to the Committee on War Claims.

By Mr. ESTOPINAL: A bill (H. R. 28535) waiving the age limit for admission to the Pay Corps of the United States Navy in the case of Minor Meriwether, jr.; to the Committee on Naval Affairs.

By Mr. FERGUSSON: A bill (H. R. 28536) granting a pension to Pedro Pena; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 28537) granting a pension to David Jewell; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 28538) granting a pension to Sophia C. Lother; to the Committee on Invalid Pensions.

By Mr. HAMILTON of West Virginia: A bill (H. R. 28539) granting an increase of pension to Milton Laird; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28540) granting an increase of pension to John Boler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28541) granting an increase of pension to Robert C. Stanley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28542) granting an increase of pension to Alice O. Crippen; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 28543) for the relief of Paris R. Winslow; to the Committee on Military Affairs.

By Mr. HELM: A bill (H. R. 28544) for the relief of Shelby County, Ky.; to the Committee on War Claims.

By Mr. HINDS: A bill (H. R. 28545) granting a pension to Alice C. Sawtelle; to the Committee on Invalid Pensions.

By Mr. HOLLAND: A bill (H. R. 28546) for the relief of Washington Allman and others; to the Committee on Claims.

By Mr. KINKAID of Nebraska: A bill (H. R. 28547) granting an increase of pension to John G. Richardson; to the Committee on Invalid Pensions.

By Mr. KNOWLAND: A bill (H. R. 28548) granting an increase of pension to Charles A. Baender; to the Committee on Invalid Pensions.

By Mr. MILLER: A bill (H. R. 28549) granting an increase of pension to S. P. Marlette; to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 28550) granting a pension to William R. Pryor; to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 28551) granting an increase of pension to Jennette Rice; to the Committee on Pensions.

By Mr. PATTON of Pennsylvania: A bill (H. R. 28552) to remove the charge of desertion from the military record of William R. Potter; to the Committee on Military Affairs.

By Mr. PRAY: A bill (H. R. 28553) granting a pension to George H. Kyle; to the Committee on Pensions.

By Mr. RAKER: A bill (H. R. 28554) for the relief of Robert T. Legge; to the Committee on Claims.

By Mr. RUCKER of Colorado: A bill (H. R. 28555) for the enrollment of Tilla A. Provost and Harold Provost, Nebraska Winnebago Indians, and for making an allotment to Tilla A. Provost; to the Committee on Indian Affairs.

By Mr. SHERWOOD: A bill (H. R. 28556) granting an increase of pension to Eliza Robbins; to the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 28557) to amend an act entitled "An act granting an increase of pension to Marie J. Blaisdell," approved May 24, 1900; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Papers to accompany bill (H. R. 28195) for the relief of Harry Adelbert Nichols; to the Committee on Invalid Pensions.

Also, petition of the Ohio State legislative committee of the Order of Railway Conductors, protesting against the passage of the bill known as the Brantley bill; to the Committee on the Judiciary.

By Mr. AYRES: Petition of the National Association of Shellfish Commissioners, Boston, Mass., favoring the passage of legislation making an appropriation for investigations for the further development of the oyster industry; to the Committee on the Merchant Marine and Fisheries.

By Mr. CARY: Petition of the Lumber Carriers' Association, Detroit, Mich., protesting against the passage of House bill 23673, relative to the placing of more sailors on the small boats of the Great Lakes; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Schneider Furniture Co., North Milwaukee, Wis., favoring the passage of the Weeks bill for a 1-cent letter-postage rate; to the Committee on the Post Office and Post Roads.

Also, petition of the New York Zoological Society, New York, favoring the passage of the McLean bill, granting Federal protection to all migratory birds; to the Committee on Agriculture.

Also, petition of the Forster Lumber Co., Milwaukee, Wis., favoring the passage of legislation for a further appropriation for Federal aid to the protection of forests from fires; to the Committee on Agriculture.

By Mr. CLARK of Florida: Petitions of C. Fred Ward and other citizens of Winter Park, Fla.; J. H. Huddleston and other citizens of Geneva, Fla.; John F. Cogswell and other citizens of Clancona, Fla.; Thomas Murray and other citizens of Palatka, Fla.; and Frank Harvard and other citizens of Tangerine, Fla., protesting against any reduction of tariff on the citrus fruits; to the Committee on Ways and Means.

Also, petition of Auxiliary 23 to B. 52, N. A. L. C., favoring the passage of the Hamill bill, to provide for the retirement of the aged and infirm civil employees; to the Committee on Pensions.

By Mr. DRAPER: Petition of the National Association of Shellfish Commissioners, Boston, Mass., favoring the passage of legislation making appropriations for investigations for the improvement of the oyster industry; to the Committee on the Merchant Marine and Fisheries.

By Mr. DYER: Petition of C. J. Bolang, commander of the St. Louis Camp, favoring the passage of legislation granting pensions to the veterans of the various Indian wars; to the Committee on Pensions.

Also, petition of the Religious Liberty Association, Takoma Park, Washington, D. C., relative to House bill 25682, a bill to punish violations of the Lord's day in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of the New York Zoological Society, New York, favoring the passage of the McLean bill granting Federal protection to all migratory birds; to the Committee on Agriculture.

Also, petition of C. H. Hughes, St. Louis, Mo., favoring the passage of House bill 1309, to establish a council of national defense; to the Committee on Naval Affairs.

By Mr. FULLER: Petition of Thomas A. Morrison, Southport, Pa., and William F. Irwin, Melrose, Mass., favoring the passage of House bill 1339, granting an increase of pension to veterans of the Civil War who lost an arm or leg; to the Committee on Invalid Pensions.

Also, petition of the Clover Leaf Casualty Co., Jacksonville, Ill., favoring the passage of House bill 27567, for a 1-cent letter postage rate; to the Committee on the Post Office and Post Roads.

Also, petition of the Richmond (Va.) Chamber of Commerce, favoring the passage of legislation for a reform in the banking system of the United States; to the Committee on Banking and Currency.

By Mr. GOLDFOGLE: Petition of Boring & Chilton, New York, favoring the adoption of the Mall site and design as adopted by the National Commission of Fine Arts for the memorial to Abraham Lincoln; to the Committee on the Library.

Also, petition of Theodore Sutro, New York, favoring the passage of House bill 1309, for the establishment of a council of national defense; to the Committee on Naval Affairs.

By Mr. GRIEST: Petition of the Spanish War Veterans of Lancaster, Pa., favoring the passage of House bill 26537, to donate to the city of Lancaster, Pa., two bronze or brass field-pieces for the use of General William S. McCaskey Camp, United Spanish War Veterans; to the Committee on Military Affairs.

By Mr. LAMB: Petition of the Richmond Chamber of Commerce, Richmond, Va., favoring the passage of legislation for the immediate reform in the banking system of the United States; to the Committee on Banking and Currency.

By Mr. LEVY: Petition of the New York Zoological Society, New York, favoring the passage of the McLean bill for Federal protection of all migratory birds; to the Committee on Agriculture.

Also, petition of the Municipal Art Society of New York, favoring the adoption of the Mall site and design as approved by the National Commission of Fine Arts, for the memorial to Abraham Lincoln; to the Committee on the Library.

Also, petition of Newman Erb, William W. Lawrence, J. W. Jinks, and Robert Wheeser, of New York, N. Y., favoring the passage of House bill 1809, for the establishment of a council for national defense; to the Committee on Naval Affairs.

Also, petition of the Thread Agency, New York, favoring the passage of House bill 16663, relative to the changing of dates for the corporations, joint stock companies, etc., to file their annual returns; to the Committee on Ways and Means.

Also, petition of the National Association of Shellfish Commissioners, Boston, Mass., favoring the passage of legislation for investigations for the further development of the oyster industry; to the Committee on the Merchant Marine and Fisheries.

By Mr. LINDSAY: Petition of the Municipal Art Society of New York, favoring the adoption of the Mall site and the design as approved by the National Commission of Fine Arts for the memorial to Abraham Lincoln; to the Committee on the Library.

Also, petition of the New York Zoological Society, New York, favoring the passage of the McLean bill for Federal protection of all migratory birds; to the Committee on Agriculture.

Also, petition of the National Association of Shellfish Commissioners, Boston, Mass., favoring the passage of legislation making appropriations for investigations for the further development of the oyster industry; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Remington Typewriter Co., New York, protesting against the passage of the Oldfield patent law revision substitute bill (H. R. 23417), making certain revisions in the present patent laws; to the Committee on Patents.

By Mr. PLUMLEY: Petition of the Congregational Church, Barnet, Vt., favoring the passage of the Kenyon "red-light" injunction bill for the cleaning up of Washington for the inauguration; to the Committee on the District of Columbia.

By Mr. RAKER: Petitions of the Chamber of Commerce of Anderson, Cal.; T. H. Ramsey, J. J. Wells, the Bank of Tahama, and Cone & Kimball, of Red Bluff, Cal.; the Sacramento Valley Development Association, Sacramento, Cal.; Curtis Olive Co., and the Gibraltar Investment Co., of Los Angeles, Cal., protesting against the passage of legislation for any reduction of tariff on olives and olive oils; to the Committee on Ways and Means.

Also, petition of the General Federation of Women's Clubs, protesting against the passage of any legislation tending to destroy the present national system of forest preservation; to the Committee on the Public Lands.

Also, petition of the Humboldt Chamber of Commerce, Eureka, Cal., protesting against the passage of the Lever bill (H. R. 20381), for the removal of the tax on colored oleomargarine; to the Committee on Agriculture.

Also, petitions of John Burroughs, of West Park, N. Y., and the Ford Motor Co., Detroit, Mich., favoring the passage of the McLean bill, extending Federal protection to all migratory birds; to the Committee on Agriculture.

Also, petitions of the Griffin & Kelley Co. and the Pacific States Electric Co., San Francisco, Cal.; the J. J. Pfister Knitting Co., West Berkeley, Cal.; the Home Industry League of California, Langley; the Michaels Co., San Francisco, Cal.; and the Sacramento Chamber of Commerce, Sacramento, Cal., favoring the passage of the Weeks bill, for a 1-cent postage rate; to the Committee on the Post Office and Post Roads.

Also, petition of the Altolia Mining Co., San Francisco, Cal., protesting against the unreasonable reduction of tariff on tungsten ore; to the Committee on Ways and Means.

By Mr. REILLY: Petition of New Haven County Pomona Grange, No. 5, favoring the passage of the McLean bill, granting Federal protection to all migratory birds; to the Committee on Agriculture.

Also, petition of the Connecticut Automobile Association, New Haven, Conn., favoring the adoption of the national highway from Washington to Gettysburg as a memorial to Abraham Lincoln; to the Committee on the Library.

Also, petition of the Richmond (Va.) Chamber of Commerce, favoring the passage of legislation for a reform in the banking system of the United States; to the Committee on Banking and Currency.

By Mr. TUTTLE: Petition of citizens of Port Morris, N. J., favoring the passage of the Kenyon-Sheppard bill, preventing the shipment of liquor into dry territory; to the Committee on the Judiciary.

Also, petition of William G. De Meza, Plainfield, N. J., favoring the passage of bill granting a pension to Mrs. Margaret Rix, widow of James T. Rix; to the Committee on Invalid Pensions.

Also, petition of the New Jersey Chapter, American Institute of Architects, Jersey City, N. J., favoring the adoption of the Mall site and the design as approved by the National Commission of Fine Arts for the memorial to Abraham Lincoln; to the Committee on the Library.

Also, petition of the clubs of the fifth district of the New Jersey Federation of Women's Clubs, favoring the passage of legislation for the establishment of a national bureau of health; to the Committee on the Judiciary.

Also, petition of the Elizabeth Board of Trade, Elizabeth, N. J., favoring the passage of Senate bill 3, for Federal aid to vocational education; to the Committee on Agriculture.

Also, petition of the Plainfield Democratic Club, Plainfield, N. J., protesting against the passage of Senate bill 3175, for the restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. UNDERHILL: Petition of the National Association of Shellfish Commissioners, Boston, Mass., favoring passage of legislation making appropriations for investigations for the further development of the oyster industry; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the New York State legislative board, Brotherhood of Locomotive Engineers, favoring the passage of bill known as the Federal workingmen's compensation bill; to the Committee on the Judiciary.

Also, petition of the Richmond Chamber of Commerce, Richmond, Va., favoring the passage of legislation for a reform in the banking system of the United States; to the Committee on Banking and Currency.

By Mr. WILDER: Petition of 50 boys and girls from one of the Gardner schools, Gardner, Mass., favoring the passage of the McLean bill granting Federal protection to all migratory birds; to the Committee on Agriculture.

By Mr. WILSON of New York: Petition of the National Association of Shellfish Commissioners, Boston, Mass., favoring the passage of legislation making appropriation for investigations and experiments for the development of the oyster industry; to the Committee on the Merchant Marine and Fisheries.